



**TAKE NOTICE THAT A REGULAR-SPECIAL MEETING
OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 4:00 PM ON
TUESDAY, SEPTEMBER 5, 2017**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

1. CALL TO ORDER:

- A) Roll call and possible action on the excusing of any absent member of the governing body.
- B) Pledge of Allegiance/Invocation.

2. PROCLAMATIONS:

- A) Presentation of Proclamation proclaiming National Day of Remembrance of Murder Victims. (ADMINISTRATION)

3. PUBLIC COMMENTS/PUBLIC HEARINGS:

A) PUBLIC COMMENTS: (Ordinance No. O-2015-28) *A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five (5) registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered speaker to address the governing body.*

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: (Ordinance No. O-2015-28). *A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*

C) SECOND PUBLIC HEARING: Solicitation of comments on the Proposed Tax Rate. (ADMINISTRATION)

D) PUBLIC HEARING: Solicitation of comments on Budget Fiscal Year 2017-2018. (FINANCE)

E) PUBLIC HEARING: Solicitation of comments on the (draft) Regional Assessment of Fair Housing Plan. (GMCD)

4. CITY MANAGER'S REPORTS: *(City Manager's Administrative Reports and discussion, if any, with governing body. The City Manager may also assign a designated spokesperson for any particular listed topic)*

A) City Engineer's Report

B) City Events of Interest.

5. CONSENT AGENDA: *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

A) Approval of minutes for August 21, 2017 City Commission Regular Called Meeting; July 31, 2017 through August 2, 2017 Workshop Session; and August 30, 2017 Special Called Meeting. (ADMINISTRATION)

B) Consideration and action, if any, on request from St. Margaret Mary Catholic Church for street closure of 100 Block of West Juarez between Cage Blvd. and Aster on Saturday, September 30, 2017 and Sunday, October 1, 2017 for their Annual Festival/Jamaica. (ADMINISTRATION)

C) Consideration and action, if any, on Ordinance creating a Communication Center and a Purchasing Department. **2nd Reading** (HR)

D) Consideration and action, if any, on Ordinance amending Ordinance O-2017-06 (Rental of Natatorium). **2nd Reading** (PARKS/PAL)

E) Consideration and action, if any, on Resolution for authorization to submit grant application to the Office of the Governor-Criminal Justice Division: BG-Rifle-Resistant Body Armor Grant Program (BAGP). (POLICE)

F) Consideration and action, if any, on Resolution authorizing FY17 Local Edward Byrne Memorial Justice Assistance Grant application submission and acceptance. (POLICE)

G) Consideration and action, if any, on request for road closures for the Diez y Seis de Septiembre Festival on Friday, September 15, 2017. (ADMINISTRATION)

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- H) Consideration and action, if any, authorizing the sale of beer at Jones Box Park for the Diez y Seis Festival on Friday, September 15, 2017. (EVENTS CENTER)
- I) Consideration and action, if any, on request from American Cancer Society to waive rental fees of Boggus Ford Events Center for their Annual Cattle Baron's Ball on Saturday, September 9, 2017. (EVENTS CENTER)
- J) Consideration and action, if any, on request from Pharr-San Juan-Alamo ISD to waive rental fees of Boggus Ford Events Center for their College Night Presentation on Tuesday, September 26, 2017. (EVENTS CENTER)
- K) Consideration and action, if any, on donation for Pharr-San Juan-Alamo ISD for the 3rd Annual MATP (Motor Activity Training Program). (PARKS/PAL)
- L) Consideration and action, if any, on Border Trade Alliance (BTA) Silver Level Membership for \$10,000. (BRIDGE)
- M) Consideration and action, if any, on PSJA ISD Gala Sponsorship 2017 for \$2,500. (BRIDGE)
- N) Consideration and action, if any, on request from Hidalgo County Elections Department for the use of Jose "Pepe" Salinas Memorial Civic Center and Las Milpas Community Center as Early Voting and Election Day County-wide polling locations for the upcoming November 7, 2017 General Election. (PARKS/PAL)
- O) Consideration and action, if any, on Development Services Cases:
 - 1. Iden I. Trevino, P.E., representing Rogelio A. Pruneda, owner is requesting a change of zone from a Single-Family Residential District (R-1) to a General Business District (C). The property is legally described as being a 0.45-acre tract of land, more or less, out of the South 264.0 feet of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 124 West Dicker Road.
 - 2. Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lot A, Providence Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6400 South Cage Boulevard, Suites A & B.

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3. Red Robin Restaurant is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lot 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 409 South Jackson Road.

4. R.G.V. & Associates / Laura L. Garza, d/b/a George's Dance Hall, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6801 South Jackson Road.

P) PLATS:

1. Melden & Hunt, Inc., representing Manuel Mendez, President of M and R Commodities, Inc., a Texas Corporation, is requesting final plat approval of the proposed Idea North Pharr Subdivision. The property is legally described as being a resubdivision of 22.073 acres out of Lots 79 and 82, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1000 Block of East Owassa Road.

2. B.I.G. Engineering, representing Adolfo Campero and Adalberto Campero, is requesting final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I). The property is legally described as being a 16.7 acre gross, 14.58 acre net, tract of land, being part or portion of Lot 358 and Lot 359, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 700 and 1200 Block of West Anaya Road.

3. B.I.G. Engineering, representing Annabelle Palomo, is requesting final plat approval of the proposed APRL Subdivision. The property is legally described as being a 12.474 acre tract of land out of Lot 85, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 5400 Block of North IH 69C.

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance O-2016-32 to adopt a new and updated Personnel Policy Manual . **3rd and Final Reading** (HR)
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2017-22 increasing the membership of the Parks and Recreation Committee from Seven (7) to Nine (9) members. (ADMINISTRATION)

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- C) Consideration and action, if any, on Resolution appointing/re-appointing two (2) regular members and two (2) alternate members to the Planning and Zoning Commission. (DEVELOPMENT SERVICES)
- D) Consideration and action, if any, on Resolution for nomination of candidates to the Hidalgo County Appraisal District Board of Directors for 2018-2019. (ADMINISTRATION)
- E) Consideration and action, if any, on Resolution in opposition of the construction of the Border Wall along the United States and Mexico Border Region. (LEGAL)
- F) Consideration and action, if any, on Resolution opposing Senate Bill 4. (LEGAL)

7. ADMINISTRATIVE:

- A) Consideration and action, if any, awarding bid for property at 504 W. Juarez Ave. Bid No. 1617-01-510-0039. (ADMINISTRATION)
- B) Consideration and action, if any, on options for Logos on the City of Pharr's elevated storage tanks. (ADMINISTRATION)
- C) Consideration and action, if any, on approval of the draft Regional Assessment of Fair Housing Plan. (GMCD)
- D) Consultation with the Board of Commissioners on review of the City organization structure. (ADMINISTRATION)

8. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, authorizing Pharr Police Department to enter into an Cooperative State and Local Task Force Agreement with the Drug Enforcement Agency. (POLICE)
- B) Consideration and action, if any, authorizing Pharr Police Department to enter into a State and Local HIDTA Task Force Agreement with the Drug Enforcement Agency. (POLICE)
- C) Consideration and action, if any, on Memorandum of Understanding between Pharr Police Department and the City of Edinburg for the use of the Edinburg International Race Track for Emergency Vehicle Operations Course (EVOC) training.(POLICE)

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- D) Consideration and action, if any, on sponsorship agreement with Pharr-San Juan-Alamo ISD for stadium digital scoreboard advertising. (EVENTS CENTER)
- E) Consideration and action, if any, on sponsorship agreement with Pharr-San Juan-Alamo ISD Top-10 Banner at PSJA Stadium. (EVENTS CENTER)
- F) Consideration and action, if any, on agreement between American Legion Post # 101 and the City off Pharr for counseling, outreach, education, and referral services to assist Veterans and family members. (EVENTS CENTER)

9. CLOSED SESSION: *In accordance with Chapter 551 of the Texas Gov't. Code, the Pharr Board of Commissioners hereby gives notice that it may meet in a closed (non-public) executive session to discuss the items listed on the public portion of the meeting agenda.*

Pursuant to Section 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the City may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the City may convene in a closed, non-public meeting to discuss any matters related to **review of the City organization structure; appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the City may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the City may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

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Pursuant to Section 551.087, the City may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

10. RECONVENE: *into Regular Session, and consider action, if necessary on any item(s) discussed in closed session.*

11. ADJOURNMENT:

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/402-4100 ext. 1003/1007 or FAX 956/702-5313 or E-mail hilda.pedraza@pharr-tx.gov or imelda.barrera@pharr-tx.gov for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular-Special Meeting of the City Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at www.pharr-tx.gov. This Notice was posted on the 1st day of September, 2017 at 4:00 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).



WITNESS MY HAND AND SEAL, this 1st day of September, 2017.


HILDA PEDRAZA, TRMC
CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was removed from the bulletin board of City Hall on the ____ day of _____, 20__ by,

Title: _____

WHEREAS, the National Parents Of Murdered Children (POMC) established September 25th as a National Day of Remembrance for Murder Victims as a result of unanimously passed resolutions by the U.S. Senate on October 16, 2007, and the U.S. House of Representatives on May 14, 2007; and

WHEREAS, POMC believes that honoring the memory of victims who have been killed by violence and acknowledging the resulting long-term trauma for families, communities, and the Nation is an important way of promoting public awareness and remembering our loved ones; and

WHEREAS, in 2016, there were an estimated 15,696 homicides nationwide of which the Rio Grande Valley experienced 42 homicides. One murder every 33.5 minutes in the United States; and

WHEREAS, survivors of homicide victims are scattered across the Rio Grande Valley and are in need of specific and targeted intervention in the aftermath of the homicide, that starts with death notification and goes far beyond the burial and in some cases the trial; and

WHEREAS, survivors of homicide victims transform their pain and anger into power and action; by honoring the memory of their loved ones impacted by homicide. Through leadership, grief support and advocacy, survivors are reducing violence and promoting prevention and policy change on a local, state, and national level; and

WHEREAS, we urge all the citizens of Pharr and Hidalgo County to join us for the 5th Annual National Day of Remembrance for Murder Victims "As Long As I Breathe, You Will Be Remembered", at the Boggus Ford Events Center, 3000 N. Cage Blvd., Pharr, Texas from 6:30 pm to 9:00 p.m.

NOW THEREFORE, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas by virtue of the authority vested in me and on behalf of the Mayor and the City Commission, do hereby proclaim the 25th day of September 2017 as:

"National Day of Remembrance for Murder Victims"

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 5th day of September 2017.

CITY OF PHARR

Ambrosio Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 3.A.

DATE SUBMITTED: August 14, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: PUBLIC COMMENTS

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 08/14/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 3.B.

DATE SUBMITTED: August 14, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Public Hearing on Development Services Cases

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 08/14/2017

NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF PHARR

A tax rate of \$0.6490 per \$100 valuation has been proposed for adoption by the governing body of City of Pharr. This rate exceeds the lower of the effective or rollback rate, and state law required that two public hearings be held by the governing body before adopting the proposed tax rate.

PROPOSED TAX RATE	\$0.6490 per \$100
PRECEDING TAX YEAR'S TAX RATE	\$0.6540 per \$100
EFFECTIVE TAX RATE	\$0.6430 per \$100
ROLLBACK TAX RATE	\$0.7156 per \$100

The effective tax rate is the total rate needed to raise the same amount of property tax revenue for City of Pharr from the same properties in both the 2016 tax year and the 2017 tax year.

The rollback tax rate is the highest tax rate that City of Pharr may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAX OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS
FOLLOWS:

$$\text{Property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Pablo (Paul) Villarreal, Jr.
City of Pharr Tax Assesor-Collector
2804 S Business Hwy 281
Edinburg, TX 78539
(956) 318-2157
propertytax@hidalgocountytax.org
<http://www.hidalgocountytax.org>

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 30th, 2017 at 4:00 PM at City Hall, 118 S. Cage Blvd., Commissioners' Room, 2nd Floor.

Second Hearing: September 5th, 2017 at 4:00 PM at City Hall, 118 S. Cage Blvd., Commissioners' Room, 2nd Floor.

Purpose for Tax Increase:

The purpose for this year's tax increase is to increase Public Safety, Streets and Highways and Parks Budget.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 3.D.

DATE SUBMITTED: August 31, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Finance

DIRECTOR:

Agenda Item: PUBLIC HEARING: Solicitation of comments on Budget Fiscal Year 2017-2018.

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza
Karla Moya
City Management Office

Created/Initiated - 08/31/2017
Approved - 08/31/2017
Final Approval - 08/31/2017

**CITY OF PHARR
BUDGET PUBLIC HEARING**

This budget will raise more total property taxes than last year's budget by \$1,479,918 or 8.73 % increase, and of that amount, \$551,417 is tax revenue to be raised from new property added to the tax roll this year.

You are hereby notified that the proposed General, Special Revenue, Capital Project, Debt Service, Internal Service, and Enterprise funds, as well as PAL, TIRZ, No. 1 and No. 2, PHFC, PHFC Jackson Place Apartments and Economic Development funds' budgets for the City of Pharr, Texas, for year ending September 30, 2018 were filed by the City Manager with the City Clerk on the 22nd day of August, 2017 and same has been and will be available for public inspection at all reasonable times.

The Board of Commissioners of the City of Pharr, Texas has ordered the Budget Hearing to be held on Tuesday, September 5, 2017 at 4:00 p.m. at Pharr City Hall, City Commissioners' Room, 2nd Floor, 118 S. Cage Blvd., Pharr, Texas.

All interested citizens of Pharr, Texas are urged to attend said hearing and present their views and suggestions. Persons desiring to speak during the public hearing shall sign in with the City Clerk prior to the scheduled public hearing. (Ordinance No. O-2015-28)

City of Pharr

Hilda Pedraza, City Clerk

Posted: August 22, 2017

Published in the Advance News on August 23, 2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 3.E.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Sonia Barajas, CDBG Secretary

DEPARTMENT: GMCD

DIRECTOR: Raul Garza

Agenda Item: PUBLIC HEARING: Solicitation of comments on the (draft) Regional Assessment of Fair Housing Plan.

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue:

The Assessment of Fair Housing (AFH) is a legal requirement (HUD) that Hidalgo County municipal governments and housing authorities (along with Urban County of Hidalgo) must comply with in the form of a Regional Assessment of Fair Housing Plan. Collectively these entities developed a collaborative effort to accomplish this task in order to continue receiving federal housing and community development funding from the U.S. Dept. of Housing & Urban Development (HUD). Specifically, the AFH is an analysis undertaken pursuant to 24 CFR Part 5.154 that includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals specific to Hidalgo County.

The City of Pharr is one of the collaborative program participants and the CDBG staff was the Chairperson for two (2) Sub-Committees: (1) a Transportation Sub-Committee and (2) an Employment Sub-Committee that met numerous times throughout a year-long schedule working to collect data related to the subcommittee, inspect and consider the data and finalize the data into an analytical report to be combined with the total categories of the Fair Housing Plan.

The plan must be submitted at the earliest date required of the participating entities.

The collaboration partners followed the Hidalgo County Urban County's Action Plan timeline in order to have the Fair Housing Plan complete/submitted and approved by HUD prior on a timely basis. The plan will be submitted to HUD by October 18, 2017.

Financial Consideration: N/A

Staff Recommendation: NA

Alternatives:

ROUTING:

Sonia Barajas	Created/Initiated - 09/01/2017
Raul Garza	Approved - 09/01/2017
Patricia Rigney	Approved - 09/01/2017
City Management Office	Final Approval - 09/01/2017

PUBLIC NOTICE

COUNTY OF HIDALGO AND THE COLLABORATIVE PROGRAM PARTICIPANTS ASSESSMENT OF FAIR HOUSING

The County of Hidalgo and the AFH Collaborative Program Participants invite you to attend Public Hearings on the draft Regional Assessment of Fair Housing Plan. The hearings will be held at:

DATE	TIME	LOCATION
Tuesday September 5, 2017	9:30 a.m.	Hidalgo County Administration Bldg. Commissioner's Courtroom 100 E. Cano, 1 st Floor, Edinburg, Texas
Tuesday September 5, 2017	4:00 p.m.	Pharr City Hall City Commissioner's Room 118 S. Cage Blvd., 2 nd Floor Pharr, Texas
Thursday September 7, 2017	5:30 p.m.	Edinburg City Hall City Council Chambers 415 W. University Drive, Edinburg, Texas
Tuesday September 12, 2017	5:30 p.m.	Mission City Hall City Council Chambers 1201 E. 8 th St. Mission, Texas
Thursday September 14, 2017	5:30 p.m.	McAllen City Hall City Commission Chambers 1300 W. Houston Ave., 3 rd Floor McAllen, Texas

Interested parties are cordially invited to attend and participate in the public hearings. The **Assessment of Fair Housing (AFH)** is a legal requirement that both the County and the collaborative program participants must complete in order to continue receiving federal housing and community development funding from the U.S. Dept. of Housing & Urban Development (HUD). Specifically, the **AFH** is an analysis undertaken pursuant to 24 CFR Part 5.154 that includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals specific to Hidalgo County.

A draft copy of the **AFH** will be available for public review for 30 days beginning on August 19, 2017, and ending September 19, 2017. Copies of the document will be available on the County's website - <https://tx-hidalgocounty.civicplus.com/>, at the local city halls, precincts and public libraries. The County will accept comments on the **AFH** until September 19, 2017. Written comments or questions may be submitted to Hidalgo County Urban County Program (UCP) Director's Office at 427 E. Duranta, Suite 107, Alamo Texas, 78516, call (956) 787-8127, or emailed to ucp@co.hidalgo.tx.us.

Persons with disabilities or non-English speaking who need to communicate more effectively with County/City Officials and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired are asked to contact the UCP Office at (956) 787-8127 or relay Texas at 800-735-2999 (TTY) or 711 (Voice) at least three working days in advance of the hearing so that appropriate arrangements can be made.

It is the intent of the County and its collaborative program participants to submit the regional **AFH Plan** to HUD on or before October 4, 2017. Collaboration Program Participants: Hidalgo County Urban County Program, the Cities of Edinburg, Mission, McAllen and Pharr as well as the Housing Authority of the County of Hidalgo and the Cities of Alamo, Donna, Edinburg, Edcouch, Elsa, Hidalgo, La Joya, McAllen, Mercedes, Mission, Pharr, San Juan and Weslaco.

Click here to view draft AFH Plan

<https://tx-hidalgocounty.civicplus.com/index.aspx?NID=2169>

Raul Garza, Director
City of Pharr – Grants Management & Community Development
118 S. Cage Boulevard, Pharr, Texas 78577



AVISO PÚBLICO

EL CONDADO DE HIDALGO Y LOS PARTICIPANTES DE COLABORACIÓN EVALUACIÓN DE EQUIDAD DE VIVIENDA

El Condado de Hidalgo y Los Participantes del Colaborativo de la Evaluación de Equidad de Vivienda (AFH) invitan a asistir a unas audiencias públicas en una Evaluación Regional de Vivienda Justa. Las audiencias se llevarán a cabo en los siguientes sitios:

FECHA	HORA	UBICACIÓN
martes 5 de septiembre de 2017	9:30 a.m.	Oficina de Administración del Condado de Hidalgo Sala del Comisionado 100 E. Cano, 1er piso Edinburg, Texas
martes 5 de septiembre de 2017	4:00 p.m.	Oficina de la Ciudad de Pharr Cámaras del Comisionado 118 S. Cage Blvd., 2do piso Pharr, Texas
Jueves 7 de septiembre de 2017	5:30 p.m.	Oficina de la Ciudad de Edinburg Cámaras del Comisionado 415 W. University Dr. Edinburg, Texas
martes 12 de septiembre de 2017	5:30 p.m.	Oficina de la Ciudad de Mission Cámaras del Comisionado 1201 E. 8 th St. Mission, Texas
Jueves 14 de septiembre de 2017	5:30 p.m.	Oficina de la Ciudad de McAllen Cámaras del Comisionado 1300 W. Houston Ave., 3er piso McAllen, Texas

Las partes interesadas están cordialmente invitadas para asistir y participar en la audiencia pública. La **Evaluación de la Vivienda Justa** (AFH, por sus siglas en inglés) es un requisito legal que tanto el Condado como los participantes del programa de colaboración deben completar para continuar recibiendo fondos federales para vivienda y desarrollo comunitario del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD). Específicamente, la **AFH** es un análisis llevado a cabo conforme al 24 CFR Parte 5.154 que incluye un análisis de los datos de la vivienda justa, una evaluación de las ediciones justas de la cubierta y factores contribuyentes, y una identificación de las prioridades justas de la cubierta y las metas específicas al Condado de Hidalgo.

Una copia del borrador de la **AFH** estará disponible para consulta pública durante 30 días, comenzando el 19 de agosto de 2017 y terminando el 19 de septiembre de, 2017. Copias del documento estarán disponibles en el sitio del condado <https://tx-hidalgocounty.civicplus.com/> y sitios de los participantes de la colaboración, los ayuntamientos locales, recintos y bibliotecas públicas. El Condado aceptará comentarios por escrito sobre la **AFH** hasta 19 de septiembre de 2017. Preguntas o comentarios por escrito pueden ser remitidas a la oficina del Programa Urbano del Condado de Hidalgo 427 Duranta E., Suite 107, Alamo Texas, 78516, o por correo electrónico al ucp@co.hidalgo.tx.us.

Para personas con discapacidad o que no hablen inglés que necesiten comunicarse más efectivamente con los funcionarios del Condado / Ciudad y que puedan necesitar ayudas o servicios auxiliares como intérpretes para personas sordas o con impedimentos auditivos, se comuniquen con la Oficina de UCP al (956) 787 -8127 o relay Texas al 800-735-2999 (TTY) o 711 (Voz) por lo menos tres días hábiles antes de la audiencia para que se puedan hacer arreglos apropiados.

Es intención del Condado y sus participantes del programa colaborativo presentar **el Plan regional de AFH** a HUD antes del 4 de octubre de 2017. Participantes del Programa de Colaboración AFH: El Programa Urbano del Condado de Hidalgo, Edinburg, Mission, McAllen y Pharr así como la Autoridad de Vivienda del Condado de Hidalgo y las autoridades de viviendas públicas de las ciudades de Alamo, Donna, Edinburg, Edcouch, Elsa, Hidalgo, La Joya, McAllen, Mercedes, Mission, Pharr, San Juan y Weslaco.

Haga Clic aquí para ver el borrador de AFH

<https://tx-hidalgocounty.civicplus.com/index.aspx?NID=2171>

Raul Garza, Director
Ciudad de Pharr – Programa de CDBG
118 S. Cage Boulevard, Pharr, Texas 78577



IGUALDAD DE OPORTUNIDAD
EN LA VIVIENDA



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 4.A.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Engineering

DIRECTOR:

Agenda Item: City Engineer's Report

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: City Engineer's Report

Financial Consideration: N/A

Staff Recommendation:

Alternatives:

ROUTING:

Omar Anzaldua

Created/Initiated - 08/29/2017

Omar Anzaldua

Approved - 08/29/2017

Karla Moya

Approved - 08/31/2017

Patricia Rigney

Approved - 08/31/2017

City Management Office

Final Approval - 09/01/2017

Design Phase

- ☐ **Hi-Line Road Improvements From Jackson Rd to Veterans Rd (I-Road)**
- ☐ **Anaya Road Improvements From US 281 (Cage Blvd) to Veterans Rd (I-Road)**
- ☐ **365 Tollway Utility Adjustments**
- ☐ **Various Park Designs-2016**
- ☐ **Renovations of Jose "Pepe" Salinas Civic Center**

Construction Phase

- ☐ **South Pharr Development and Research Center (Part A)**
- ☐ **South Pharr Exhibit Hall**
- ☐ **Jones Box Park Parking Lot Improvements**
- ☐ **Owassa Road Improvements**
- ☐ **West Moore Rd Improvements**
- ☐ **Single Machine Repaving Project Year 2**
- ☐ **Downtown Street Lighting Improvement**
- ☐ **Eldora Elevated Storage Tank Improvements**
- ☐ **Waterline Transmission Improvements**
- ☐ **Lift Station 25 & 16-in Forcemain Improvements**
- ☐ **Wastewater Treatment Plant Clarifier No. 2 Rehabilitation**
- ☐ **Proposed Traffic Signal Improvements on Veterans Rd. at Kelly Ave. & Eldora Rd.**
- ☐ **Jackson Road And Cage Boulevard Raised Medians Construction Project**
- ☐ **South Pharr Water Tower Rehabilitation**
- ☐ **Jones Box Park Landscape and Irrigation Improvements**

Project Name:	Hi-Line Road Improvements From Jackson to Veterans
Design Engineer:	S&B Infrastructure, Ltd.
Description:	Approximately 2.3 miles of roadway improvements from Jackson Rd to Veterans Rd.
Status:	Currently Working on the Environmental
Project Name:	Anaya Rd. Improvements From US 281 (Cage Blvd.) to Veterans Rd. (I-Road)
Design Engineer:	S&B Infrastructure, Ltd.
Description:	Approximately 1.03 miles of roadway improvements from US 281 (Cage Blvd.) to Veterans Rd. (I-Road)
Status:	Currently Working on the Environmental
Project Name:	365 Tollway Utility Adjustments
Design Engineer:	S&B Infrastructure, Ltd.
Description:	Various utility relocations along • Jackson Rd (24" Waterline), • US 281/Cage Blvd (18" Waterline), • I-Road (24" Steel Casing for future waterline) • Thomas Rd/I Road (12" Waterline)
Status:	Plans are 90% Complete

Project Name:	Various Park Design-2016
Design Engineer:	Halff & Associates
Description:	Various Park Improvements at the following Parks: • Allen & William Arnold Elementary City/School Park • Cesar Chavez Elementary City/School Park • Dr. William Long Elementary City/School • Bike Trail in Floodway • Ford Elementary City/School Park • Nature Park • Splash Pad at Allen & William Arnold
Status:	• Allen & William Arnold Park - 70% Design Complete • Allen & William Arnold Park Splash Pad – 60% Design Complete • Nature Park – 50% Design Complete • Cesar Chavez – 70% Design Complete • Dr. William Long – 70% Design Complete • Bike Trail – 40% Design Complete – Not much room for this park due to agreement with PSJA to farm this land. • Ford Park – 70% Design Complete
Project Name:	Renovations of Jose "Pepe" Salinas Civic Center
Design Architect:	Diseño
Description:	Renovations of an approximately 16,000 s.f. facility
Status:	1. Three (3) Schematics have been completed. 2. Developed three (3) 3D architectural design models of the facility

Project Name	South Pharr Development and Research Center Part A		
Architect	The Warren Group, Inc		
Contractor	Holchemont		
Contract Amount	\$2,433,000	Contract Time (days)	240
Notice to Proceed	4/9/2017	Contract Time Used:	59.17%

Description: Construction of South Pharr Development and Research Center consisting of approximately 15,398 s.f. masonry building.

Status: Construction is approximately 44.28% complete.

Pictures:



Project Name	South Pharr Exhibit Hall		
Architect	The Warren Group, Inc		
Contractor	Holchemont		
Contract Amount	\$1,209,000	Contract Time (Days)	240
Notice to Proceed	4/9/2017	Contract Time Used:	59.17%

Description: South Pharr Exhibit Hall will consist of a new one story masonry building approximately 9,000 s.f. in size

Status: Construction is approximately 62.11% complete.

Pictures:



Project Name:	Jones Box Park Parking Lot Improvements		
Engineer	Melden & Hunt		
Contractor	Mor-Wil, LLC		
Contract Amount	\$579,410	Contract Time (Days)	120
Notice to Proceed	1/19/2017	Contract Time Used:	185.00%
Description: Construction of a new parking lot, walking trail resurfacing, basketball courts and soccer fields.			
Status: Construction is over 90% complete.			
Pictures:			
			

Project Name:	Owassa Road Reconstruction and Widening		
Engineer:	Tedsj		
Contractor	IOC, Company		
Contract Amount	\$5,206,108	Contract Time (Days)	438
Notice to Proceed	3/23/2017	Contract Time Used:	36.30%
Description: Widening of Owassa Rd between Jackson Rd and US 281 Frontage, and various drainage improvements.			
Status: Construction is ongoing.			
Pictures:			
			

Project Name:	West Moore Rd Improvements		
Engineer	Melden & Hunt		
Contractor	Texas Cordia Construction		
Contract Amount	\$332,153	Contract Time	100
Notice to Proceed	3/29/2017	Contract Time Used:	153.00%

Description: Reconstruction of West Moore Rd and the widening of Moore Rd at Jackson Rd. and Cage Blvd Intersections

Status: Main lanes are complete, and intersection widening is scheduled to be completed at the end of August 2017.

Pictures:



Project Name:	Single Maching Repaving Project Year 2		
Engineer	City of Pharr-Engineering Department		
Contractor	Cutler		
Contract Amount	\$2,807,023	Contract Time (Days)	180
Notice to Proceed	1/23/2017	Contract Time Used:	100.00%
Description: Repaving of residential streets, in North, Central and South Pharr			
Status: Contractor has completed the project. Contractor has been issued a Punch List for items that need to be addressed before closing the job.			
Pictures: (None)			

Project Name:	Downtown Street Lighting Improvement		
Engineer	SDI		
Contractor	OCL Enterprises, LLC		
Contract Amount	\$181,050	Contract Time (Days)	120
Notice to Proceed	3/23/2017	Contract Time Used:	132.50%
Description: Improve lighting along N. Cage Blvd from Polk Ave. to Business 83.			
Status: Project is complete			
Pictures: (None)			

Project Name:	Eldora Elevated Storage Tank Improvements		
Engineer	SG&E, LLC		
Contractor	Landmark		
Contract Amount	\$2,735,000	Contract Time (Days)	365
Notice to Proceed	4/21/2017	Contract Time Used:	35.62%

Description: Build a new 1 Million Gallon Composite Elevated Storage Tank

Status: Concrete Pedestal and dome are complete. Contractor will begin working on the steel tank. Project is about 50% complete.

Pictures:



Project Name:	Waterline Transmission Improvements		
Engineer	S&GE, LLC		
Contractor	Jimmy Closner & Sons		
Contract Amount	\$6,591,196	Contract Time (Days)	540
Notice to Proceed	3/15/2016	Contract Time Used:	98.52%

Description: Construction of a 20-in and 16-in water transmission main from the Water Treatment Plant (WTP) Booster Pump Station to the Expressway and JBJ Elevated Storage Tank.

Status: Construction is ongoing. Contractor is finishing up Betterments.

Pictures:



Project Name:	Lift Station 25 & 16-in Forcemain Improvements		
Engineer	S&GE, LLC		
Contractor	Saenz Brothers Construction, LLC		
Contract Amount	\$2,715,364	Contract Time (Days)	360
Notice to Proceed	8/2/2016	Contract Time Used:	108.89%

Description: New Liftstation and 16-in Forcemain Improvements

Status: Construction is 80% complete

Pictures:



Project Name:	Wastewater Treatment Plant Clarifier No. 2 Rehabilitation		
Engineer	SG&E		
Contractor	JMJ Constructors Inc.		
Contract Amount	\$532,725	Contract Time (Days)	270
Notice to Proceed	1/3/2017	Contract Time Used:	88.15%

Description: Install a new Clarifier at the Wastewater Treatment Plant Clarifier No. 2

Status: All equipment has arrived, and contractor is working on electrical and non-potable water system. Construction is 61.87% complete.

Pictures:



Project Name:	Proposed Traffic Signal Improvements on Veterans Rd. at Kelly Ave. & Eldora Rd.		
Engineer	Aldaña Engineering & Traffic Design, LLC		
Contractor	D&G Energy Corporation		
Contract Amount	\$232,765	Contract Time (Days)	120
Notice to Proceed	7/31/2017	Contract Time Used:	0%
Description: This existing intersection is presently un-signalized. The proposed traffic signal will include traffic signal poles and arms, traffic signal controller & cabinet, foundations,			
Status: Contract has been awarded. Notice to Proceed date was July 31, 2017.			
Pictures:(None)			

Project Name:	Jackson Rd and Cage Blvd Raised Medians		
Engineer	R. Gutierrez Engineering Corp.		
Contractor	IOC		
Contract Amount	\$297,849	Contract Time (Days)	60
Notice to Proceed	7/24/2017	Contract Time Used:	60.00%

Description: Construction of raised concrete medians, and pavement striping along Jackson Rd and Cage Blvd.

Status: Medians along S. Cage Blvd. are complete. Contractor is now working on medians along S. Jackson Rd.

Pictures:



Project Name:	South Pharr Water Tower Rehabilitation		
Engineer	Dunham Engineering, Inc.		
Contractor	Blastco		
Contract Amount	\$127,600	Contract Time (Days)	90
Notice to Proceed	TBD	Contract Time Used:	0%
Description: Rehabilitation and repainting of a 750,000 gallon composite			
Status: Contract has been awarded and NTP was issued August 14, 2017.			

Pictures: (None)



Project Name:	Jones Box Park Landscape and Irrigation Improvements		
Engineer	Heffner Design Team, PLLC		
Contractor	Southern Landscapes		
Contract Amount	\$79,050	Contract Time (Days)	90
Notice to Proceed	TBD	Contract Time Used:	0%
Description: Various landscape and irrigation improvements at Jones Box Park			
Status: Contract has been awarded. Notice to Proceed date is September 18, 2017.			
Pictures: (None)			



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 4.B.

DATE SUBMITTED: August 14, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: City Events of Interest.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 08/14/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.A.

DATE SUBMITTED: August 31, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Approval of minutes for August 21, 2017 City Commission Regular Called Meeting; July 31, 2017 through August 2, 2017 Workshop Session; and August 30, 2017 Special Called Meeting.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration: N/A

Staff Recommendation: Staff recommends approval.

Alternatives: N/A

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 08/31/2017
Final Approval - 09/01/2017

**MINUTES
BOARD OF COMMISSIONERS
REGULAR CALLED MEETING
MONDAY, AUGUST 21, 2017
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, August 21, 2017 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Comm. Daniel Chavez
Comm. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: Comm. Roberto “Bobby” Carrillo
Comm. Ricardo Medina

STAFF PRESENT: Edward Wylie, Deputy City Manager
Imelda Barrera, Assistant City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Anali Alanis, HR Director
Ruben Villescas, Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Dev. Services Director
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Luis Bazan, Bridge Director
Victor Perez, PEDC II Director

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1. CALL TO ORDER

Comm. Eleazar Guajardo called the meeting to order at 4:00 p.m. Roll Call established a quorum.

A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BODY

Comm. Guajardo **moved** to excuse the absent members. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

Comm. Chavez was not present at the time of roll call but arrived at 4:02 p.m.

B) PLEDGE OF ALLEGIANCE/INVOCATION

Ed Wylie, Deputy City Manager, led in the pledge of allegiance and Ruben Villegas, Police Chief, said the invocation.

ITEM 2. PUBLIC COMMENTS/PUBLIC HEARINGS

A) PUBLIC COMMENTS

Jesse A. Rodriguez, District Officer for the Lions Club 283, went over their services and stated their area encompasses the cities of Port Isabel, Zapata, Sinton, Alice, and Port Aransas. He further stated they were currently looking into creating a new club in Pharr and asked for the Commission's support. He further stated an informational meeting will be held next month and extended an invitation to the Commission to attend.

Kenneth Fletcher, 504 S. Diplomat, spoke about baseball team being composed of citizens, commissioners and staff. He also spoke about truck complaints at Costco parking in the fire lanes and stated there were no citations for Schneider Trucking Company. Lastly, he spoke about Fire Marshal's report on fire safety.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES

None.

ITEM 3. CITY MANAGER'S REPORTS

At this time, Mayor Hernandez called upon Guillermo Ordorica, Consul of Mexico for a presentation.

Consul Ordorica went over the provide services provided at the Consulate in McAllen and stated their main mission was to protect the rights and interests of the Mexican families in the United States. Some of the consular services include documentation for passports, consular registrations, and voting cards, as well as civil registry and notary services. He further stated they implement programs on education, culture, health, economic development, leadership training, and community empowerment.

D) RECOGNITION OF T.A.A.F PROGRAMS PARTICIPANTS (PARKS/PAL)

Isaac Escobedo, Parks & Recreation Department, and Virginia Rodriguez, Aquatics Supervisor, recognized the seven athletes who competed in the National Meet

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Games of America in Grand Rapids Michigan returning home with qualified at the State Games of Texas. At this time, they introduced the National qualifying participants from out T.A.A.F. programs of swimming and track and field and thanked the Commission for their continued support.

Mayor Hernandez thanked Parks & Recreation staff and the parents for allowing their children to participate in the City's sports programs and congratulated them for a great job.

A) SUBMISSION OF AUGUST 2017 SALES TAX REPORT (FINANCE)

Ed Wylie, Deputy City Manager, introduced the sales tax report for the month of August 2017 and reported sales tax were up .46% for the year.

Karla Moya, Finance Director, announced they received the certificate of achievement for the popular comprehensive financial report.

B) SUBMISSION OF JULY 2017 TAX COLLECTION REPORT (FINANCE)

Ed Wylie, Deputy City Manager, introduced the tax collection report for the month of July 2017. He stated current taxes were up .22% and delinquent taxes were up .40%.

C) SUBMISSION OF QUARTERLY REPORT FY 2016-2017 ENDING JUNE 30, 2017 (FINANCE)

Ed Wylie, Deputy City Manager, introduced the quarterly report for quarter ending June 30, 2017 and stated there were no major changes and everything was consistent with previous quarters. He further stated funds balance was healthy.

E) CITY EVENTS OF INTEREST

Ed Wylie, Deputy City Manager, reported Meet the Raiders was taking place on Wednesday, August 23, 2017 at 7:00 p.m. and the Boggus Ford Events Center. He further reported the city would be hosting the 2017 Pharr Night Out event on Saturday, August 26, 2017 from 6:00 p.m. to 10:00 p.m. at Jaime Escalante Middle School. He stated the event was to commemorate neighborhoods against crime and drugs and invited everyone to attend.

Ed Wylie, Deputy City Manager, reported Pharr Economic Development Corporation would be hosting a ribbon cutting for Arcade Dental on Friday, August 25, 2017 at 4:00 p.m. at 8001 S. Jackson Road. Mr. Wylie also reported a one-year

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anniversary ribbon cutting for Santa Fe Yogurt would take place on Tuesday, August 29, 2017 at 10:30 a.m. at 2504 S. Cage Blvd., Ste. A.

ITEM 4. CONSENT AGENDA

- A) APPROVAL OF MINUTES FOR JULY 27, 2017 CITY COMMISSION SPECIAL CALLED MEETING; AUGUST 7, 2017 REGULAR CALLED MEETING; AND AUGUST 15, 2017 SPECIAL CALLED MEETING (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE NO. O-2017-23 SETTING BY-LAWS FOR THE BEAUTIFICATION COMMITTEE 3RD & FINAL READING (PARKS/PAL)**
- C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2015-54 (FEE ORDINANCE), PROVIDING FOR REPEALING OF CONFLICTING ORDINANCE(S) CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE 3RD & FINAL READING (DEVELOPMENT SERVICES)**
- D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE PHARR FIRE DEPARTMENT TO ENTER INTO FY-18-19 LRGVDC PSAP INTERLOCAL AGREEMENT WITH THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (FIRE)**
- E) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR BIDS FOR FURNITURE FOR THE SOUTH PHARR DEVELOPMENT AND RESEARCH CENTER (LIBRARY)**
- F) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA EDUCATION FOUNDATION TO WAIVE RENTAL FEES FOR THE USE OF PHARR EVENTS CENTER ON SEPTEMBER 14, 2017 FOR THEIR ANNUAL GALA FOUNDATION (EVENTS CENTER)**
- G) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM PSJA ISD TO WAIVE RENTAL FEES FOR THE USE OF PHARR EVENTS CENTER ON AUGUST 23, 2017 FROM 5:30 P.M. TO 10:00 P.M. FOR THEIR MEET THE RAIDERS (EVENTS CENTER)**
- H) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**

1. MARIO ALBERTO TORRES, D/B/A ON THE GRILL RESTAURANT, REQUESTED A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS

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LEGALLY DESCRIBED AS 0.075 OF AN ACRES, MORE OR LESS, OUT OF LOT 1, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1201 SOUTH JACKSON ROAD, SUITE 7.

Ed Wylie, Deputy City Manager, introduced the items and recommended approval of the consent agenda.

Comm. Guajardo **moved** to approve consent agenda as recommended. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

Ordinances O-2017-32 and O-2017-33 are filed with the City Clerk's Office.

REGULAR AGENDA - OPEN SESSION

ITEM 5. ORDINANCES AND RESOLUTIONS

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2016-32 TO ADOPT A NEW AND UPDATED PERSONNEL POLICY MANUAL 2ND READING (HR)

Ed Wylie, Deputy City Manager, introduced the item and recommended approval.

Comm. Guajardo **moved** to approve as recommended. Comm. Bracamontes seconded the motion and when put to a vote, it carried unanimously.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2017-15 FOR BUDGET AMENDMENTS TO THE FISCAL YEAR 2016-2017 BUDGET (FINANCE)

Ed Wylie, Deputy City Manager, introduced the item.

Comm. Guajardo **moved** to approve. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

Although the ordinance was approved, the required vote was not attained since the majority of the members of the Board of Commissioners was not present.

C) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2017-06 (RENTAL OF NATATORIUM) (PARKS/PAL)

Ed Wylie, Deputy City Manager, introduced the item and briefly stated this would eliminate the rental of the natatorium and recommended approval. He further stated this was the first reading of the ordinance.

Comm. Guajardo **moved** to approve as recommended. Comm. Chavez seconded the motion.

D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AND AGREEMENT FOR CONVEYANCE OF REAL PROPERTY WITH AFFORDABLE HOMES OF SOUTH TEXAS, INC. (GRANTS MANAGEMENT & COMMUNITY DEVELOPMENT)

Ed Wylie, Deputy City Manager, introduced the item and stated the City of Pharr would be granting eighteen properties to Affordable Homes of South Texas to help low income or moderate-income families with homebuyer assistance.

Comm. Caballero **moved** to approve as recommended. Comm. Bracamontes seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2017-58 is filed with the City Clerk's Office.

ITEM 6. ADMINISTRATIVE

A) PLATS:

1. MELDEN & HUNT, INC., REPRESENTING VICTOR PEREZ, EXECUTIVE DIRECTOR FOR PHARR ECONOMIC DEVELOPMENT CORP. II, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED TOPGOLF PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 15.420 ACRES OUT OF LOTS 2 AND 3, PHARR CITRUS ORCHARD CO., ALL OF LOTS 2-6, MCALLEN-PHARR STORAGE RENTALS SUBDIVISION, ALL OF LOT 1, PHARR NURSING HOME SUBDIVISION, ALL OF LOTS 4-5, PHARR COMMERCIAL PARK SUBDIVISION PHASE II, AND ALL OF LOT 3A, RE-PLAT OF PHARR COMMERCIAL PARK SUBDIVISION PHASE II, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1900 BLOCK OF WEST INTERSTATE 2 (DEVELOPMENT SERVICES)

Ed Wylie, Deputy City Manager, introduced the item and recommended approval.

Comm. Guajardo **moved** to approve as recommended. Comm. Chavez seconded the motion and when put to a vote, it carried unanimously.

B) PRESENTATION OF PROPOSED BUDGET 2017-2018 (FINANCE)

Ed Wylie, Deputy City Manager, introduced the item and stated the general fund budget was \$66.9 million and everything was the same as last year except for some changes. Mr. Wylie went over the major changes by stating the Pharr Police Athletic League (PAL) was moved to Parks & Recreation, a new purchasing and centralized communications departments were created, and a debt of \$16 million total would be incurred for new projects.

Comm. Chavez **moved** to approve as recommended. Comm. Bracamontes seconded the motion and when put to a vote, it carried unanimously.

C) DISCUSSION AND ACTION FOR VOTE ON PROPOSED TAX RATE INCREASE AND SCHEDULE PUBLIC HEARINGS (FINANCE)

Ed Wylie, Deputy City Manager, stated the proposed tax rate was \$0.6490, which was a decrease from \$0.6540. He reported the first public hearing was scheduled for August 30, 2017 at 4:00 p.m. and the second public hearing was scheduled for September 5, 2017 at 4:00 p.m. He further recommended approval.

Comm. Guajardo **moved** to approve as recommended. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

ITEM 7. CONTRACTS/AGREEMENTS

A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH SG&E, LLC. FOR THE DESIGN OF THE SANITARY SEWER UTILITY ADJUSTMENTS RELATED TO THE REGIONAL LINEAR PARK HIKE AND BIKE TRAIL, I-ROAD TUNNEL CROSSING CONFLICT (ENGINEERING)

Ed Wylie, Deputy City Manager, introduced the item and briefly stated this was for the design of the sanitary sewer utility adjustments related to the Regional Linear Park Hike and Bike Trail, I-Road Tunnel crossing conflict. He stated the City would go out for bids for this project and it would be at no cost to the taxpayers. He further recommended approval.

Comm. Chavez **moved** to approve as recommended. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

ITEM 8. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON

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**THE PUBLIC PORTION OF THE MEETING AGENDA. IN ACCORDANCE
WITH THE FOLLOWING BELOW**

None.

ITEM 9. RECONVENE

None

ITEM 10. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Caballero seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:33 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR**

ON THIS THE 21ST DAY OF AUGUST 2017 the Board of Commissioners of the City of Pharr, Texas convened in a **REGULAR CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

HILDA PEDRAZA, CITY CLERK

APPROVED:

MINUTES: REGULAR CALLED MEETING
AUGUST 21, 2017

**MINUTES
BOARD OF COMMISSIONERS
WORKSHOP SESSION
JULY 31, 2017 THRU AUGUST 2, 2017 AT 2:00 P.M.
118 SOUTH CAGE 2nd FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Workshop Session Meeting on Monday, July 31, 2017 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez (Arrived @ 4:59pm)
Mayor Pro-Tem Roberto “Bobby” Carrillo
Comm. Eleazar Guajardo (Arrived @ 2:20pm)
Comm. Ramiro Caballero
Comm. Daniel Chavez
Comm. Ricardo Medina (Arrived @ 2:52pm)
Comm. Mario Bracamontes (Left @ 4:50pm)

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Asst. City Manager
Imelda Barrera, Asst. City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Anali Alanis, HR Director
Rodolfo Martinez, Municipal Court Judge
Ruben Villegas, Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Development Services Dir.
Jose Villegas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, I.T. Director
Luis Bazan, Bridge Director

CALL TO ORDER

Mayor Pro Tem Carrillo called the meeting to order at 2:11 p.m. Roll Call established a quorum.

1. WELCOMING REMARKS BY CITY MANAGER AND/OR MAYOR

Juan G. Guerra, City Manager, welcomed everyone in attendance and stated this was the introduction to the planning phase for the budget process.

2. DISCUSSION OF PENDING AND/OR PROPOSED CITY PROJECTS, PROGRAMS AND INDIVIDUAL DEPARTMENTAL DIVISIONS, DUTIES, ROLES, STRUCTURE, EVALUATION; DISCUSSION OF THE FISCAL YEAR 2017-2018 BUDGET FOR ALL CITY GENERALLY AND INCLUDING THE FOLLOWING ENTITIES: TAX INCREMENT REINVESTMENT ZONE (TIRZ); TAX INCREMENT REINVESTMENT ZONE II (TIRZ II); PHARR ECONOMIC DEVELOPMENT CORPORATION II (PEDC); PHARR POLICE ATHLETIC LEAGUE (PAL); PHARR HOUSING FINANCE CORPORATION (PHFC); PHARR HOUSING FINANCE CORPORATION JACKSON PLACE APTS.; AND PHARR PUBLIC FACILITIES CORPORATION; DISCUSSION ON CAPITAL PURCHASES, CAPITAL IMPROVEMENT PROJECTS, PERSONNEL, AND DEBT

POLICE DEPARTMENT – 2:15 p.m.

Ruben Villegas, Police Chief, presented the organizational structure chart of the Police Department and explained the areas of responsibilities for the Assistant Police Chiefs, Lieutenants, and Sergeants. Chief Villegas gave a brief overview of the budget goals accomplished for this current year. He went over the goals accomplished for FY FY2016-2017 budget included the 21st century policing awareness program and engagement amongst staff, new technology applications to increase citizen reporting of concerns, public service announcements for citizens on safe driving, increased number of neighborhood watch programs to include the hello neighbor campaign, collaboration in the launching of the Regional Public Safety Training Center program, and the community-wide suicide prevention program.

Chief Villegas gave a brief overview on the new goals for FY 2017-2018 budget. He stated the goals would be to establish a Public Safety Communication Center, partner with Hidalgo County Attorney digital accessibility to criminal report videos project, increase neighborhood watch programs to ten subdivisions, acquire and maintain Records Management System, resurgence of Bicycle Patrol for use in furtherance of intelligence led policing, develop and adopt accredited policy and procedures manual, planning, construction and completion of police evidence and property storage building project. Chief Villegas further went over the progressive ideas for his department and stated policing was about community service and about making neighborhoods stronger. He spoke about various trainings for his officers and the 21st Century Policing fostering relationships with public and taking guardian mentality. Chief Villegas added he was focusing on interaction with customers, system approach to management, continual improvement and stated they were pursuing an Alzheimer's locating program.

Chief Villegas presented the performance measures for the Police Department to include traffic enforcement, citation breakdown, traffic related arrests and community outreach events. He also reviewed the budget trends for the police department for the

last three years and stated the budget requests for fiscal year 2017-2018 budget were an increase in personnel, technology equipment, additional police units with special equipment, and two Capital Improvements Projects. Lastly, Chief Villescas reviewed the areas of concern and seized asset balances.

Mayor Pro Tem Carrillo stated officers needed to improve on customer service with a better approach on traffic stops. Chief Villescas responded he would definitely look into this matter and expressed that this could be a change in culture and new staff.

Comm. Guajardo asked how Chief Villescas had determined the need for additional investigator versus patrol officers and the initiative of body cameras that helps both the community and the Police Department. Chief Villescas responded there was new technology with an auto turn on the body cameras for transparency purposes and he would like the commitment of three investigators for participation on the intelligence center and the anti-gang program.

Comm. Bracamontes asked about at-risk students regarding the map of crimes displayed and what were they doing with kids that were committing crimes. Chief Villescas stated PAL programs for these kids were being offered by involving work/school, church and family involvement as well as the First Offender Program.

FIRE DEPARTMENT – 3:08 p.m.

Leonardo Perez, Fire Chief, presented the Fire Department organizational structure chart and briefly gave an overview of the six divisions within his department. Chief Perez stated the goals accomplished for FY2016-2017 budget included the purchase of fifty-four sets of self-contained breathing apparatus, remodeling of Fire Station No. 3, Emergency Medical Technician training to eighteen fire personnel, Annual FireFest event, and Thanksgiving meals provided to one hundred twenty five families. He also mentioned there were some concerns from firefighters involving cancer related issues but had already been addressed. Chief Perez further stated there were some pending budget goals having to do with adopting the new International Fire Codes and construction of new Fire Station No. 4.

Chief Perez also gave a brief overview on the new goals for FY2017-2018 budget. He stated the new goals included the adoption of the 2018 International Fire Codes, continue annual Thanksgiving Meal Drive, certifications for various fire personnel, increase the volunteer firefighters to fifteen members and increase Technical Medics by five members. He also added establishing a Special Operations Squad (SOS) for all hazard response and rescues and went over new programs.

Chief Perez further gave a brief overview on the performance measures for the Fire Department and reviewed the levels of training for personnel, fire inspections and

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fire investigations for the last three (3) fiscal years, and response times for all types of fire and service calls. He also included the Hidalgo County EMS monthly runs and funds the City has collected from them. Chief Perez went over the budget trends that involved building maintenance and the increase in maintenance and repairs due to aging facilities. He also stated the areas of concern included the aging of apparatus fleet and various other vehicles that were ten years old. Lastly, Chief Perez went over the renovation or replacement of Fire Station No. 1 and presented the difference in cost to the commission.

Mayor Pro Tem Carrillo voiced his concerns about the adoption of the new International Building Codes and stated new codes were very strict to new businesses. Chief Perez stated life safety was not an issue and he could bend rules on.

Comm. Caballero asked if the services from Hidalgo County EMS were satisfactory. Chief Perez stated there were no major complaints and fire personnel were doing spot checks regularly. He also mentioned the creation of a survey on feedback from residents as a possibility.

Comm. Chavez asked why we had to wait for the new 2018 International Building codes and asked if Fire Department was coordinating with Development Services Department. Chief Perez stated the 2018 International Building Codes allows good rates for businesses and residential rates and they would work closely with the Development Services Department regarding the adoption of the new codes.

INNOVATION TECHNOLOGY – 3:34 p.m.

Jason Arms, IT Director, went over the department's mission statement and presented the organizational structure chart. He stated he was proposing two additional staff members for a Programmer and RF Technician/Wi-Fi positions. Next, Mr. Arms gave a brief overview of the goals accomplished for FY2016-2017 budget and stated they maintained a 99.94% uptime system wide for previous calendar year. He reported he had no breeches of data security for previous calendar year and he successfully engineered, launched and maintained PharrLife.Net. Mr. Arms also mentioned he maintained fiscal responsibility across the various divisions and launched five new systems to help automate processes and improved accountability. He stated he had expanded educational offerings in Robotics, internships and engaged in direct education with Pharr-San Juan-Alamo ISD. Additionally, he maintained a cost per capita of \$17.90, which was far below other IT Departments in the region, and completed phase 1 of the Federal Communications Commission "Rebanding Project" as required by law. Furthermore, Mr. Arms mentioned he launched an interactive employee portal/intranet, launched a new "Photo Booth" for community engagement and a new "Community Gaming Station" for use at city functions. He stated he continues to represent the City of various committees and community groups and provides technical

leadership to engineering by providing technical review of a proposed government-to-government fiber network with Pharr-San Juan-Alamo ISD, University of Texas Rio Grande Valley (UTRGV), South Texas College (STC), and other partners.

Jason Arms, IT Director, briefly presented the IT Department budget showing total expenditures for FY2015-2016, FY2016-2017 and FY2017-2018. He mentioned they assist all city departments in a vast array of support services and presented performance indicators on work orders per monthly basis. He stated the Pharr Innovation & Technology – Media Division won five Awards of Excellence in Media, and briefly mentioned the social media impact to our city and the 31,909 followers we currently had.

Mr. Arms presented the new goals for FY2017-2018 budget. He stated he would be conducting citywide cyber security training that would focus on protecting the enterprise to provide guidance on personal safety online. He also stated plan to launch the new business/community portal called “ACCELA” and explained the system would replace an outdated existing system to allow much more advanced features. Mr. Arms further stated he would like to provide virtual voicemails for all staff that work external to the office and help roll out a new toll collection system and customer portal for the Pharr International Bridge.

Some progressive ideas Mr. Arms mentioned were the installing of a Kiosk System and expand Wi-Fi service to residents in other zones of the city to improve speeds of city Wi-Fi services. Lastly, he stated the educational involvement they would provide in working with FIRST Robotics.

Comm. Chavez asked about the free internet pilot program. Mr. Arms stated he continues to work with carriers to get broadband in some areas in South Pharr.

Comm. Guajardo questioned the two proposed positions equaling to \$200,000. Mr. Arms stated the amount of \$200,000 included the annual salary for each, which included fringe benefits and overtime pay.

EMERGENCY MANAGEMENT – 4:01 p.m.

Jason Arms, Emergency Manager, explained Emergency Management was the planning, response and mitigation of events that exceed the capacity of the local jurisdiction and involved more than a small portion of the population. He stated Emergency Management was based on the National Incident Management System (NIMS) that has evolved into the Incident Command System (ICS) and stated training for elected officials, first responders, and city management was required by law.

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Mr. Arms reviewed the mission statement and presented the organizational structure chart of the five personnel assigned to the Emergency Management Department. He explained the purpose of Emergency Management was to respond to emergencies/disasters within the City of Pharr and the region and stated he was responsible for developing, maintaining and coordinating emergency management plans. He also stated he conducted and attended hazards trainings and exercises for emergency/disaster incidents. He explained Emergency Management participates in the Incident Management Team, coordinates public information and dissemination of warnings, strengthens community education, and preparedness through volunteer management and coordination of Volunteer Organizations Active in Disasters (VOAD) for relief and recovery operations.

Mr. Arms spoke about various ways the Emergency Management Department alerts the residents via phone notification system, AM Radio station and the Emergency Management public website. He stated they received a financial grant to include a \$51,000 grant to upgrade radio systems in Regional Technical Response Unit (TRU), and equipment grants for Texas Satellite Internet Connection, Texas Satellite based phone system, LRGVDC 911 terminal and Texas AM Radio Transmitter, and Traffic Citizen Advisory System. He also noted some accomplishments for current budget FY 2016-2017 and stated they actively monitored the ongoing ZIKA threat, operated the City drone program, launched "Everbridge" mass notification system, won 1st place in the Texas for our Spanish Public Service Announcement and reviewed nine Adult Day Care Emergency Plans.

Lastly, Mr. Arms stated Emergency Management was non-budgeted but Administration has allocated approximately \$40,000 annually in general fund to support the assignment pays for three staff personnel and Everbridge Mass Notification System. He stated new goals for FY 2017-2018 budget included the Crisis 360 and Emergency Management software, the Emergency Management Performance Grant (EMPG) that funds employees and resources, and would conduct a tabletop exercise and perform a snapshot evaluation of existing plans with at least one department and continue to comply with law.

MUNICIPAL COURT – 4:13 p.m.

Rodolfo Martinez, Municipal Court Judge, presented the organizational structure chart for the Municipal Court and gave a brief overview on personnel and areas of responsibilities. Judge Martinez mentioned in order to enhance the Court's collection effectiveness. He went over the goals accomplished for FY2016-2017 budget to include the Scofflaw Program, officers assisting by making personal contact with violators, and the In-house Collections Department. He also stated the total collections and expenditures were regularly monitored. Judge Martinez presented the new goals for FY 2017-2018 budget and stated they would continue efforts to collect monies owed,

continue best practice policies, that fairness remains a strict principle of operation, and monitor expenditures by spending wisely.

Judge Martinez went over some progressive ideas, which included a public monitor system, a security upgrade to include metal detector at entrance of courtroom, a Brazos system and automated phone call/texting system. He further explained the various types of Class C Misdemeanors hearings held at the Municipal Court for both traffic and non-traffic. Judge Martinez presented the performance measures case numbers for the last three fiscal years to current on total Class C cases filed, heard and disposed. He briefly explained The Magistration process and presented the performance measure on average cases per day for the last three fiscal years.

Lastly, Judge Martinez mentioned some areas of concern involved the security versus public hearings, the office space at municipal court, and the scanning program.

Comm. Guajardo questioned what the projected increase in cases would be. Judge Martinez stated approximately twenty-two thousand cases for clerk and part-time judge.

At this time, the Board of Commissioners took a break due to a power outage to building.

GRANTS / CDBG – 4:46 p.m.

Raul Garza, Grants/CDBG Director, presented the organizational structure chart and gave a brief overview of the three divisions within his department. He went over the personnel and areas of responsibilities and stated he was requesting additional full time positions for Grant Writer and Compliance Coordinator. Mr. Garza also went over the goals accomplished for FY2016-2017 budget and stated they had centralized all grants and had provided all departments with standardized procedures on grant submittals, established low-income housing on the Federal level, utilized CDBG monies for low-income housing rehabilitation and reconstruction of affordable homes, and continued the Main Street Program and Downtown initiatives. Additionally, the Main Street Program/Historical Commission was almost ready to launch and they would continue to implement and manage the Hardship Utility Program.

Raul Garza, Grants/CDBG Director, briefly went over the new goals for FY2017-2018 budget for the Grants Management and Community Development Departments. He stated they plan to finalize and implement the housing program utilizing Hurricane Dolly lots for low-income housing construction, streamline the grant application process, create of inter-departmental grant agreements, diversify CDBG monies to better assist the community, and improve the grant monitoring and compliance process.

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Mr. Garza further stated some progressive ideas for his department were to continue to maximize federal monies within the city's strategic plan and hold quarterly meetings with departments to review their goals and objectives to match grant possibilities and opportunities. He also mentioned they would like to do more advertising for the housing program and hold quarterly meetings with downtown businesses to determine their needs.

Mr. Garza briefly went over the performance indicators on grants management and Main Street monies awarded for his department and went over the budget trends regarding the expanded services for grants, housing, and Main Street. Mr. Garza mentioned some areas of concerns in the grant process were the need to continue to improve the processes within city departments to achieve better communication to improve efficiency and productivity, the need to assess the way of doing business to increase productivity and accuracy. He also mentioned compliance was the upmost important factor in keeping up with federal and state reporting and accountability requirements.

Lastly, Mr. Garza went over the 2017 Housing and Urban Development (HUD) allocation of funds and the CDBG 2017 Action Plan for non-public services and public services.

COMMUNICATIONS (New) – 5:05 p.m.

Ruben Villescas, Police Chief, stated their goal was to consolidate police and fire communications at one location. By doing so, this would improve delivery of emergency services, reduce phone transfers when calling 911, and maintain public trust and confidence. Chief Villescas stated FIRECOMM had a total of 8,846 service calls and provides services for the cities McAllen, Linn-San Manuel, and Progreso. He further stated the Police Department has received a total of 16,347 service calls to date and briefly reviewed the 911 service calls per month. Chief Villescas reviewed the number of staffing in both Police and Fire Departments and stated currently there were twenty-three staff personnel. He then presented two proposed communications staffing organizational charts for these locations.

Chief Villescas gave a brief overview of the FY 2017-2018 budget for operations at the Police Department and off-site to include current budget funds with new budget amounts. He explained there would be two shift schedules for the Communication Center and stated they were looking at five option sites for the new facility. Chief Villescas stated the options sites were a City Building at Sioux Road and U.S 281, City Hall, 3rd Floor Fire Administration, Lone Star Bank facility on Ferguson Avenue, Pharr Housing Authority, and the Police Department building. He briefly reviewed all site locations and gave a sample floor plan of each and infrastructure costs and/or

renovations/construction costs for each location to exclude cost for the Lone Star Building location.

Comm. Guajardo stated the Police Department might be maxed-out in space and thought it should not be considered as an option. Chief Villescas confirmed Comm. Guajardo's statement to be true.

Comm. Chavez questioned why the City of Pharr was considering a Communication Center and asked if other cities were doing this. Chief Villescas replied other cities do not have this and currently City of McAllen's fire calls were being dispatched by FIRECOMM and City of Edinburg dispatches both Police and Fire calls.

Comm. Caballero asked how long the pilot program was. Chief Villescas stated it would be evaluated on a day-by-day basis.

Comm. Caballero asked about the response times for EMS services. Chief Perez stated the response time information was obtained by Hidalgo County EMS.

Comm. Medina asked if the City of Pharr would be buying or leasing the Lone Star Bank building. Chief Villescas stated this was unknown since the costs were not available at this time. Comm. Carrillo stated the location was prime real estate and the City should consider not to have too much of this type of property left.

Juan G. Guerra, City Manager, stated the Communication Center started at the Police Department and then expanded into other possibilities and additional locations were something to consider.

PUBLIC UTILITIES – 5:36 p.m.

Jose Villescas, Public Utilities Director, stated the purpose of the Public Utilities Department was to provide protection of public health, growth of the economy, provide fire protection, protect the environment, and the quality of life. He also reviewed the main duties for the department and presented the organizational structure chart. Mr. Villescas went over the accomplished goals for FY 2016-2017 budget. He stated they received superior water rating, retained NELAC certifications for Water Treatment Plant and Waste Water Treatment Plant, completed the Water Transmission Line project, had no major violations at WTP or WWTP, and completed Lift Station No. 25. He also stated they would like to continue retaining superior water rating and continue retaining NELAC certifications. Some new goals for FY2017-2018 budget would be the completion of construction of 1MG tower and rehabilitation of lift stations. Mr. Villescas also went over the long-term goals, those being building a 20MG reservoir, finish the construction of new collection system in South Pharr, and purchasing water rights to sustain the demand for future growth.

Mr. Villescas went over some local issues, some economic factors, and priority changes. He reviewed performance measures for his departments and stated payroll change requests were three additional Laborer and one additional Meter Reader positions. Mr. Villescas reviewed the contractual obligations for six companies and requests different from normal operations, fleet overview along with requests and other equipment, and site improvement requests. Lastly, he reviewed the current and proposed capital improvement projects.

Comm. Carrillo asked if we currently had a comprehensive plan. Mr. Villescas stated we did by S&GE.

Comm. Chavez asked on water leaks compared to other cities. Mr. Villescas stated that it would depend on the material in the ground.

Comm. Chavez asked Mr. Villescas to elaborate on water meters. Mr. Villescas stated the smart meter system was being upgraded at the cost of \$150,000 and explained there were different RMI or IMA Systems.

Comm. Carrillo asked if the Audit Consumption System would not be a better system. Mr. Wylie stated this system was similar but it would be hard to find a water leak in a field where there is no meter.

PUBLIC WORKS – 6:07 p.m.

Omar Anzaldua, City Engineer, presented the organizational structure chart for the Public Works Department and gave a brief overview of the six divisions within his department. Mr. Anzaldua also reviewed the goals for FY2016-2017 budget and provided status on each project. He stated the goals for FY 2017-2018 were Year 3 of Street Improvements, 4 Year Plan, 24-Hour Recycle Drop-Off Center at Pharr Police Department, grant funding for environmental services, reconstruction of “I” Road from Dicker to Military Road, and the development of a Pavement Maintenance Management Plan.

Mr. Anzaldua also gave a brief overview of the performance measures per division. He mentioned the progressive ideas were to utilize the City’s existing asphalt millings stockpile to reinforce or reconstruct alleys and lift station access drives, and implement asphalt crack sealing as a maintenance and rehabilitation alternative in combination with the new Pro Patch Pot Hole Repair Machine. He further explained the current pothole repair method by using cold mix and showed a brief video on the new pro patch pothole repair machine to show the differences in methods for both.

Mr. Anzaldua presented a budget overview of the Public Works Department and reviewed the budget trends. He stated the staffing levels would remain the same with no new positions; however, the department was in need of a new Water Truck. He further stated area of concern was the disposal of the street sweeping material. He stated the City's proactive street sweeping generated 3-6 cubic yards of material per day and required proper disposal per TCEQ requirements. The costs for landfill disposal were estimated \$78,400 per year.

Comm. Medina asked if the millings could be used at the Tierra Del Sol Golf Course where the golf carts were parked. Mr. Anzaldua stated they could definitely be used at the golf course as well as at the lift stations.

ENGINEERING – 6:35 p.m.

Omar Anzaldua, City Engineer, presented the organizational structure chart for the Engineering Department and gave a brief overview of the three divisions. He stated they currently had project management of eleven projects in the design phase, and were currently reviewing the established and updated City of Pharr's Control Points with a standardized coordinate system. He also stated they completed and provided in-house design for plans and specifications for 2nd Year Phase A and Phase B paving projects and completed in coordination with Public Works, the rehabilitation of various streets by bidding and providing specifications for asphalt materials. Mr. Anzaldua stated new goals for FY 2017-2018 budget were an in-house design and construction management for the PSJA Tri-City Pedestrian Safety Improvements Project, Pharr Pedestrian Connections, Year 3 Single Machine Repaving, West Las Milpas Reconstruction (Cage Blvd. to Jackson Road), Thomas Road Intersection Widening at Cage Blvd., I-Road/Veterans Road (Dicker Road to Military Highway), Regional Detention Facility (Buckner Elementary), and Regional Detention Facility (Victor Garcia Park). In addition, they would develop and adopt formal project administration procedures in accordance to the Texas Department of Transportation (TXDOT) Local Government Project Procedure (LGPP). He further review the City of Pharr's Construction and Development Guide and Standardized construction details and specifications for capital improvement projects.

Mr. Anzaldua presented some progressive ideas. He stated ACCELA Software tied in with GIS mapping and maintenance work orders such as pothole repairs, waterline breaks, sanitary sewer overflows, and odor complaints. He mentioned the Construction Management – paperless construction inspection would be done on tablets.

Mr. Anzaldua presented performance measures for the Engineering Department and gave brief overview of budget and budget trends. He requested two budget changes, one additional Construction Inspector and one additional vehicle for the new

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Construction Inspector. Mr. Anzaldua also expressed areas of concerns to include verifying the older infrastructure on the GIS Mapping and verifying existing benchmarks and replace the benchmarks that could not be found.

At this time being 6:55 p.m., the Board of Commission paused the meeting and would be resuming the next day. Comm. Guajardo **moved** to approve. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

The time being 2:05 p.m., the Board of Commissioners of the City of Pharr, Texas, met for day two of Workshop Session Meeting on Tuesday, August 1, 2017 and the following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Mayor Pro-Tem Roberto “Bobby” Carrillo
Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Comm. Daniel Chavez (Arrived @ 2:37pm)
Comm. Ricardo Medina
Comm. Mario Bracamontes

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Asst. City Manager
Imelda Barrera, Asst. City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Anali Alanis, HR Director
Rodolfo Martinez, Municipal Court Judge
Ruben Villescas, Police Chief
Leonardo Perez, Fire Chief
Melanie Cano, Development Services Dir.
Jose Villescas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, I.T. Director
Luis Bazan, Bridge Director

Mayor Pro Tem Carrillo called the meeting to order. Roll Call established a quorum.

Mayor Pro Tem Carrillo **moved** to resume the meeting. Mayor Hernandez seconded the motion and when put to a vote, it carried unanimously.

Juan G. Guerra, City Manager, stated this was day two of Budget Workshop.

COMMUNITY EVENTS – 2:06 p.m.

Gary Rodriguez, Community Events Director, presented the organizational structure chart and stated personnel/staffing varies by event and typically, most events involve all Directors. He stated all events include oversight of City Management and have a Plan A and a Plan B. He further stated the goals accomplished for FY2016-2017 budget were to reduce the budget to produce the 2017 Pharr Hub-Phefestival, control advertising expenditures to various media outlets without compromising outreach to potential guests, and work in direct alignment with City Manager and Finance Department for budget planning. Mr. Rodriguez further stated the new goals for FY2017-2018 budget were to focus on offsetting expenses associated with community events with corporate sponsorships and focus on having L&F Distributors and Glazers donate to PAL throughout the year.

Gary Rodriguez, Community Events Director, went over some progressive ideas and stated they would utilize and recognize entertainment figures to assist in promotion of major city events after the successful template of a low cost, consumer-friendly layout for resources and pedestrian flow. He continued to say they would explore third-party arrangements through the media partners to enhance promotional opportunities for events at no extra cost to the city. In addition, they would take a more progressive and proactive approach in using in-house resources to promote Boggus Ford Events Center activities such as concerts, boxing matches and trade shows since the city received 100% of concession sales. He further stated they would examine the possibility of a dedicated photo gallery for each event to the city's website to drive visits and encourage sharing.

Mr. Rodriguez also gave an overview of the performance measures and provided budget information on all fourteen events per calendar year. He added the city had created a "Save the Date Calendar" for proper planning of each event and stated this information was distributed to the public through social media, Pharr Television and local newspapers. Mr. Rodriguez stated by conducting after-action meetings, they were able to identify areas of production for our events that could be modified for improved performance.

Mayor Pro Tem Carrillo asked if the budgeting amounts per event were accurate. Mr. Rodriguez responded yes.

Comm. Medina stated the calendar of events was a great idea and he liked knowing when events were being planned in advance.

EVENTS CENTER – 2:22 p.m.

Gary Rodriguez, Community Events Director, presented the organizational structure chart for the Boggus Ford Events Center and gave a brief overview of his staff and their areas of responsibilities. He reported there were no proposed changes to personnel and went over goals accomplished for FY2016-2017 budget. He stated the goals accomplished included a projected increase on independently promoted paid events by 50%, creation of a special in-house promoter rate to encourage use of Boggus Ford Events Center, remodeling work to Events Center and the naming rights partnership. He further went over the goals for FY 2017-2018 budget and stated they would seek new prospects for naming rights partner, increase advertising and possibly hosting a Pharr Biker Fest & Chili Cook-off for the purpose of generating revenue and increase hotel occupancy in Pharr. In addition, they would identify and present opportunities to local promoters to increase the number of concerts and shows produced annually.

Mr. Rodriguez mentioned some progressive ideas would be to attempt to receive a minimum of \$1,000 from all events offered as free with the exception of events held by the City of Pharr and PSJA ISD and perhaps create in-house produced events to maximize use of the Boggus Ford Events Center. He also presented performance measures and budget information and stated that budget trends identified for the Boggus Ford Events Center appeared to be decrease expense and increase revenue if avenues were explored to receive a minimum amount of revenue for all events except those held by PSJA ISD and City of Pharr.

Lastly, Mr. Rodriguez went over some areas of concerns. He stated these areas were the competition from other venues, new venues being constructed, adding a roof extension to cover equipment staged outside the Events Center and the possibility that Boggus Ford may not renew renaming rights option.

Mayor Pro Tem Carrillo expressed concern about EDM Event Promoters and stated there were various issues with these types of events. Mr. Rodriguez stated that he agreed but it would be something for the commission to consider.

Mayor Pro Tem Carrillo asked when the renaming rights deadline was. Mr. Rodriguez stated November 17, 2017. Mayor Pro Tem Carrillo suggested that we should put thought in considering what name for our Events Center when going out for naming rights.

MEDIA – 2:41 p.m.

Gary Rodriguez, Community Events Director, presented the organizational structure chart for the Media Division and gave a brief overview of his staff and their

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areas of responsibilities. He stated there were no proposed changes to personnel at this time and went over new goals for FY 2017-2018 budget. Some goals include the establishment of a Social Media Policy for the City of Pharr, increase City of Pharr Facebook “Likes” and Twitter “Followers” and Instagram “Followers”, meet with each Department Director to communicate best practices with respect to scheduling media requests for event coverage or event promotion, and revamp the citywide marketing plan.

Mr. Rodriguez went over some progressive ideas within the Media Division. He stated they would find ways to increase viewing of Pharr Television, encourage trainings and certifications for Media staff, identify new avenues to the story of Pharr with respect to road paving, parks development, quality of life enhancements, and highlight the number of Pharr businesses. He further provided performance measure information of the various areas of the Media Division and stated they were fortunate to earn funds from the franchise fee agreement with Spectrum Cable. He added these funds were in correlation with the number of Spectrum Cable subscribers in Pharr and they would develop a campaign to encourage residents of Pharr to subscribe to Spectrum Cable to increase the amount received through franchise fees. Lastly, Mr. Rodriguez stated some areas of concern included late requests and/or no requests for event coverage.

PARKS & RECREATION / PARKS – 2:50 p.m.

Sergio Alanis, Parks & Recreation Director, stated Parks and Recreation, Pharr Police Athletic League (PAL), and Tierra Del Sol Golf Course were consolidated into one department as of October 2015 but the departments’ budgets remain independent from each other. Mr. Alanis stated they all strive towards the same goal, which was providing recreational and leisure activities for the youth and adult community. He further presented the mission statement and the organizational structure chart to include all five divisions within his department. He also provided a brief overview of the staff and their areas of responsibilities and stated they would be proposing additional personnel to include two Irrigation Technicians and eight Groundskeepers. In addition, Mr. Alanis proposed new equipment to include an irrigation trencher, tables and chairs for events, trailers, and three units for new personnel. He stated the goals accomplished for FY 2016-2017 budget included the hiring of Consultant Ann Bagley for the Parks Master Plan update, executed conceptual designs for all proposed city parks and city/school parks, improvements and renovations at Jose “Pepe” Salinas Civic Center, established an Interlocal Agreement with Hidalgo County Precinct 2 for the use of the aquatic facility located in south Pharr, improvements at Witten Park and Pharr Sports Complex, and the construction, landscaping and irrigation of Jones-Box Park.

Mr. Alanis went over the new goals for FY 2017-2018 budget. He stated the new goals included the hiring of additional parks maintenance personnel, construction and renovations of Civic Center, implement new Beautification Committee, continue

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preventative maintenance at the Aquatics Center, Baseball Dugout improvements, replace 40 to 50 old wood light posts at Witten Park and Sports Complex, and improvements to cemetery south of Memorial Park. He further stated they would collaborate with PSJA ISD to offer/explore new opportunities for our community.

Mr. Alanis went over some progressive ideas, which included the possibility of constructing graffiti walls at city parks, rotate the police watchtowers at all parks to make police presence/safety and continue Movies at the Park throughout the year at the Civic Center. He further presented performance measures and budget trend information and expressed the following areas of concern, constant repairs at the Aquatic Center, hours for summer staff (lifeguards), Parks and Recreation Maintenance Shop needing upgrade or relocating, Civic Center renovations, and baseball park lights upgrade. Mr. Alanis briefly went over the recreation programs and presented pictures of all existing city parks.

Comm. Chavez asked if PSJA ISD was helping with any of the previously mentioned areas of concerns. Mr. Alanis responded yes. He stated PSJA ISD helps with half the cost for repairs and currently he has budgeted \$200,000 for unforeseen repairs needed.

Mayor Hernandez stated we needed to address the issues with the Aquatic Center and come-up with a resolution, perhaps look into bonds companies or insurance companies.

Comm. Chavez asked how the Parks and Recreation Department was proposing the change of the baseball park lights. Mr. Alanis stated they would go out for proposals on the upgrade of light poles. Mayor Pro Tem Carrillo suggested that we contact AEP and Magic Valley to see if they could donate light poles in an effort to save money. Comm. Chavez stated that research work was needed to make sure light poles were replaced correctly.

Comm. Bracamontes asked if any community service was going towards fixing-up and maintaining parks and stated that possibly, teenagers could volunteer at the parks or look into Pharr Green Grants. Mr. Alanis stated no volunteer work was currently being done but perhaps he could get with Judge Martinez from the Municipal Court to see what the possibility was. Mayor Pro Tem Carrillo also suggested looking at the Adopt-A-Park program with school organizations.

Mayor Hernandez asked how much of the PAL funding was being contributed by the Police Department. Chief Villescas stated no funding was being provided to PAL but he did have approximately twenty-five officers helping at PAL Division.

Mayor Hernandez asked what the difference in Parks and Recreation and PAL was. Chief Villescas stated PAL was a National Organization and 501-C3 program and their services were available to the general population and at-risk kids. Mayor Hernandez stated since taxpayer's monies were being used we needed to look at best practices and make sure there were no duplication of services.

PARKS & RECREATION / GOLF – 3:49 p.m.

Sergio Alanis, Parks & Recreation Director, gave a brief overview of personnel levels at Tierra Del Sol Golf Course and stated he would be proposing additional personnel for new fiscal year. He also stated he would be requesting one Assistant Golf Course Manager to assist in daily operations and one Irrigation Technician for troubleshoot and repair issues at golf course. He further mentioned the goals accomplished for FY 2016-2017 budget were maintaining, increasing and continued to host tournaments year round, purchase necessary equipment for maintenance and all preventative maintenance to prolong lifespan. The new goals for FY 2017-2018 budget included repairs and configuration to the irrigation system, clubhouse renovations, new lease for golf carts, golf course beautification, and continue to survey local and regional market regularly to remain competitive.

Mr. Alanis went over the following progressive ideas to include the creation of clientele database for updates/promotions via emails and social media, explore use of driving range to extended hours under the lights, and implement more structured Marshals schedule regarding duties and rotations. He further presented performance measures information to include various fees and activities and the budget trend numbers for past three fiscal years. Lastly, he covered some areas of concern at the golf cart parking area such as debris at Hole #2 and pond retention wall by Hole #16.

Mr. Alanis stated he would investigate the debris matter as to whom it may belong to. A brief discussion amongst commissioners and staff ensued.

PARKS & RECREATION / PAL – 4:06 p.m.

Sergio Alanis, Parks & Recreation Director, explained PAL Division was a youth-crime prevention program that provides civic, athletic, recreational and educational opportunities and resources to create trust and understanding between police officers and the youth. He gave a brief overview of personnel levels at the PAL Division and introduced some Board Members. Mr. Alanis further stated budget goals accomplished for FY 2016-2017 budget included training and education courses for staff, background checks for all officials and umpires and re-established an All-Star selection process for PONY Baseball/Softball Leagues. In addition, he stated they would continue successful partnership with PSJA ISD for facility use, coaches and equipment. Mr. Alanis reported the new goals for FY 2017-2018 budget included the planning of sports teams traveling

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and advancing, upgrade sports equipment, provide first aid, CPR and cardiac arrest trainings for all part-time and full time employees, and initiate a recognition program/event for all PAL volunteers annually.

Comm. Caballero asked if sports were national PAL sports. Roel Garza, Assistant Parks & Recreation Director, replied yes.

Comm. Bracamontes asked if the crime locating heat maps could also be used to recognize where the at-risk youth are located. Chief Villescas replied yes.

Comm. Chaves asked if there was a curriculum for PAL. Mr. Alanis replied no. Comm. Bracamontes agreed with Comm. Chavez and stated there should be some criteria that PAL follows.

Comm. Guajardo questioned if the budget has been utilized correctly. Mr. Alanis replied yes, however it was hard to budget for traveling tournaments.

Mr. Alanis continued by presenting the progressive ideas to include reaching out to UTRGV and STC for recruitment of coaches to assist with various sports, launching team sponsorship opportunities for local businesses, implement an additional fundraising event in the fall, and continue to educate and train parents throughout the year on sports. He further presented budget trend information for past three fiscal years.

Comm. Bracamontes asked what the age range for kids participating in sports thru PAL was. Roel Garza, Assistant Parks and Recreation Director, stated the age range was 5 to 12 years old.

Mr. Alanis continued to report the areas of concern within the PAL Division. He stated there was lack of coaches for our youth sport leagues, competition between neighboring cities and school districts to contract sport officials/umpires, and flexibility with coaches and officials volunteer applications. In addition, the lack of storage space for sport equipment, parking at Parks and Recreation/PAL offices, and properly budgeting for travel expenses for teams advancing out of the valley. Lastly, he mentioned PSJA ISD partnership and noted games for PAL sports were hosted at all elementary and middle schools.

LIBRARY – 4:44 p.m.

Adolfo Garcia, Library Director, presented the organizational structure chart and hours of operation for the Pharr Memorial Library. He provided a brief overview of the Public Library capacity and expectations. Mr. Garcia stated the budget goals accomplished for FY 2016-2017 budget were additional library programs, increased social media traffic, yearbook project made available online, and creation of Guadalupe

Cemetery online database. The new goals for FY 2017-2018 budget consist of maintenance to parking lot, exterior building, improve to Galleria 121, and create a media-tech meeting room. Additionally, he mentioned he would like to add a Point-2-Point connection to branch library and expand children movie nights.

Adolfo Garcia, Library Director, briefly went over the Summer Reading Program for 2017 and stated the program was designed to encourage elementary-aged kids to read during the summer. He presented performance measures information and budget trend numbers for FY 2017-2018 and stated there was a 27% increase for added expenses to new Development and Research Center. He further stated the new Ebook Downloadable Collections library system included 20,000 titles and the library was providing public wall art spaces for local talent within the community. Lastly, he presented pictures of Jones-Box Park pedestrian bridge public art mural.

DEVELOPMENT SERVICES – 5:10 p.m.

Melanie Cano, Development Services Director, stated Development Services was responsible for assisting homeowners, business owners, developers and members of the public for all aspects relating to land use, building development, plan reviews and field services. She stated their focus was to assist customers in preparing plans, understanding regulations, obtaining approval, and successfully completing projects. She further gave an overview of their personnel, presented the organizational structure chart, and stated they would be proposing one additional Code Enforcement Officer.

Melanie Cano, Development Services Director, went over the current goals for FY2016-2017 budget. She stated they would continue to assist the Innovation Technology Department by enhancing the MyGov software, assist Economic Development Corporation and city staff by attracting and retaining businesses and finding opportunities to promote residential development in the city, continue beautification efforts such as the final design and completion of the Pharr Downtown Park, continue efforts with the Housing Demolition Program, continue to promote and educate the public on property maintenance codes, and complete final guidelines to implement an Elderly Assistance Program.

Melanie Cano, Development Services Director, went over the FY2017-2018 budget and stated it would include new opportunities for residential and commercial development, Pharr Living Initiative – 16.32 acres Phase II, Neighborhood Enterprise Zone #1 – 151 acres Pharr DT Living Initiative, and completion of Pharr Downtown Park. Additionally, she mentioned promotion of positive community identity program and public outreach, commercial kick-off development meetings, city beautification efforts and target illegal dumping.

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At this time, Ms. Cano shared some progressive ideas to include downtown revitalization and improvement of existing streets, plazas and open areas. She further stated she was proposing the purchase of ACCELA software to streamline and accelerate services through efficient workflow. Ms. Cano further presented performance measures information and budget trends numbers for past two fiscal years to include proposed FY 2017-2018 amounts. Lastly, Ms. Cano stated one area of concern was the need for new fleet for her staff and she has requested to replace eleven vehicles.

Comm. Chavez stated he wanted to make sure we left the people know when new codes are adopted. Comm. Guajardo stated he was convinced that ACCELA software could have better tracking functions and will improve our culture.

HUMAN RESOURCES – 5:44 p.m.

Anali Alanis, Human Resources Director, presented the mission statement and briefly gave an overview of organizational structure chart. She reviewed areas of responsibilities of the four divisions for the Human Resources Department and went over various accomplishments within her department.

Mayor Pro Tem Carrillo stated an employee should be paid depending on their experience and certifications as per the compensation study. Comm. Guajardo agreed with Mayor Pro Tem Carrillo and stated there should be a minimum, mid and high level pay grade system.

Mrs. Alanis stated areas of concern included centralization of training and development, employee engagement, employee wellness and talent retention. She stated progressive ideas included Real Appeal Weight Management Optional Program, Mother Friendly Worksite, Coaching Sessions, 360^o Performance Evaluations and Safety Incentive Program.

Mrs. Alanis stated new goals for FY 2017-2018 budget were the implementation of an HR Information System, Performance Measures Software, electronic paystubs, electronic recruitment process and update of all job descriptions. Additionally, she mentioned going self-insured for property, liability and workers compensation coverage, paid student internships, and Certified Wellness Program. Lastly, she stated she would be requesting an additional five positions.

Comm. Guajardo asked if there was not already a person who handled safety within every department. Mrs. Alanis replied no and stated there was a need for a City Safety Officer and she would also like to bring back the Safety Committee to assist with Safety Manual and other safety matters.

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Comm. Chavez asked if there was two-way communication or software for notification system regarding job openings within departments. Mrs. Anali responded job applications were being sent to departments with job openings.

Comm. Chavez asked if there currently was training and development communication for departments and various positions. Mrs. Alanis replied no and stated Department Heads justify what certifications would apply to the positions and submits personnel actions for their respected employees.

Comm. Chavez asked how much influence a Department Head had in hiring employees within their departments. Mrs. Alanis responded a lot of influence.

Comm. Caballero asked if Pharr University was available for online training and if there was a tracking system of trainings taken. Mrs. Alanis Pharr University was not available online and was utilized for in-house refresher type trainings.

At this time being 6:47 p.m., the Board of Commissioners paused the meeting and would be resuming the next day. Comm. Guajardo **moved** to approve. Mayor Pro Tem Carrillo seconded the motion and when put to a vote, it carried unanimously.

The time being 3:04 p.m., Board of Commissioners of the City of Pharr, Texas, met for day three of Workshop Session Meeting on Wednesday, August 2, 2017 and the following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez (Arrived @ 3:35pm)
Mayor Pro-Tem Roberto "Bobby" Carrillo (Left @ 5:05pm)
Comm. Eleazar Guajardo
Comm. Ramiro Caballero
Comm. Daniel Chavez (Arrived @ 3:10pm)
Comm. Ricardo Medina
Comm. Mario Bracamontes (Arrived @ 4:35pm)

BOARD OF COMMISSIONERS ABSENT: None

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Asst. City Manager
Imelda Barrera, Asst. City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Events Center Director
Karla Moya, Finance Director
Anali Alanis, HR Director
Rodolfo Martinez, Municipal Court Judge
Ruben Villegas, Police Chief
Leonardo Perez, Fire Chief

Melanie Cano, Development Services Dir.
Jose Villescascas, Public Utilities Director
Sergio Alanis, Parks & Rec. Director
Raul Garza, CDBG Director
Adolfo Garcia, Library Director
Jason Arms, I.T. Director
Luis Bazan, Bridge Director
Victor Perez, PEDC Director

CITY ATTORNEY

Patricia Rigney

CALL TO ORDER

Mayor Pro Tem Carrillo called the meeting to order. Roll Call established a quorum.

Mayor Pro Tem Carrillo **moved** to approve to resume meeting. Guajardo seconded the motion and when put to a vote, it carried unanimously.

Juan G. Guerra, City Manager, advised this was day three and last day of Budget Workshop. He stated we would proceed with Finance Department.

FINANCE – 3:05pm

Karla Moya, Finance Director, presented the organizational structure chart and stated the mission of the department was to emphasize financial planning and reporting, maximize the effective and efficient use of public funds, follow directives and policies of the City Commission timely, reliable and transparent. She further gave a brief overview of Finance Department Divisions and main duties and responsibilities. Ms. Moya stated the current goals for FY2016-2017 budget included fully transitioned electronic purchase requisition system, improving budget maintenance along with department participation, and refined callable obligations to achieve savings. In addition, she stated quarterly reports were presented to City Commission, they completed the Comprehensive Annual Financial Report for FY 2015-2016, and received the GFOA and State Comptroller Certification Awards.

Karla Moya, Finance Director, briefly presented fiscal transparency information and performance indicators for the Finance Department. She went over the new goals for FY 2017-2018 budget to include implementation of a 5-Year Budget and Quarterly Reports for Component Unit, improve the centralization on inventory records to have better control and accountability, and receive transparency stars from Texas Comptroller for Debt Obligations. Ms. Moya stated two areas of concern were budget long-term management and a high Accounting Division turnover in personnel.

Mayor Pro Tem Carrillo asked if the Comprehensive Study was available. Juan G. Guerra, City Manager, replied yes; however, the study was in draft format only.

Lastly, Mrs. Moya stated some progressive ideas were to maximize the use of electronic payments as a best practice, train department on finance management, and implement City Manager vision of performance base management.

PURCHASING (NEW) – 3:27pm

Karla Moya, Finance Director, stated the main purpose of the department was to centralize purchasing, adhere to Texas Local Government Codes, and improve written policies and procedures and negotiate contracts. She further stated the department would act as the centralized office to ensure all procurements were in accordance with City of Pharr, State of Texas Statutes, and applicable Federal Government requirements. In addition, she stated she would like to ensure that taxpayers receive the maximum value for every expenditure and all expenditures were conducted in a manner that preserves the citizen's trust.

Ms. Moya further explained the analysis and bid process and contact and approval process. She also gave examples of citywide items purchased to include office supplies, mechanical repairs, landscaping services and uniforms. She also explained the decentralized purchasing versus centralized purchasing.

Ms. Moya stated the department would have four personnel staff members to include two new positions of a Purchasing Director and a Purchasing Supervisor. She further explained two employees would transfer over from the Finance Department to include transfer of budget amounts for these employees as well. Lastly, she covered the advantages and disadvantages for a Purchasing Department.

Mayor Pro Tem Carrillo stated the subsidy of department would be a good thing; however, the lack of knowledge would not. Mayor Hernandez stated the purpose of the Purchasing Department was not to slow the process down, but perhaps a Committee could assist in approval of purchases and assist to negotiate pricing.

Comm. Caballero stated there were pro's and con's to the Purchasing Department. He stated the department would work with different companies and departments could still make decisions by working with the Finance Department. Additionally, it could add a tracking system of supplies and materials for accountability of inventory.

Comm. Chaves stated Department Heads could plan and order extra of supplies to keep in stock. Comm. Guajardo stated the main purpose of the department would be fairness to vendors.

Comm. Medina stated if they plan ahead, submit a written request, have proper computer system for accounting and inventory with good tracking, there should not be a problem.

CAPITAL IMPROVEMENTS PROJECTS – 3:50pm

Omar Anzaldua, City Engineer, explained the presentation was for projects currently under construction and proposed projects for CIP funding. He presented a list of projects currently under construction to include total construction amount and status of each project. Mr. Anzaldua further presented a summary of potential CIP projects for FY 2017-2018.

Ruben Escobar, Architect, provided a presentation of proposed facility improvements to Jose “Pepe” Salinas Civic Center with two building designs and cost estimates for both.

Leonardo Perez, Fire Chief, presented proposed construction of Fire Station No. 4 to include estimated cost and presented proposed improvements to North Side Fire Station No. 1 to include estimate for renovation and estimate for new building.

Omar Anzaldua, City Engineer, presented proposed Environmental Facility at Public Works Department to include estimated cost.

Sergio Alanis, Parks and Recreation Director, presented the proposed Park Improvements and city/school park additions. The parks discussed were Allen & William Arnold City/School Park, Cesar Chavez Elementary City/School Park, Henry Ford Elementary City/School Park, Dr. William Long City/School Park, and Proposed Nature Park to include summary of costs. In addition, Mr. Alanis discussed Dr. William Long Park-Baseball/Soccer Fields and Jones Box Park-Baseball/Soccer Fields to include estimated costs for both.

Melanie Cano, Development Services Director, presented brief overview of Downtown Beautification and Traffic Management Project to include estimated cost.

Omar Anzaldua, City Engineer, presented the proposed Street Improvements – 4 Year Repaving Program (Year 3) and gave a brief overview on Hi-Line Road Widening (Jackson-Veterans), Anaya Road Widening (Cage – Veterans), Las Milpas Road Reconstruction (Cage-Jackson), West Thomas Road Intersection Widening (Cage), Downtown Decorative Lights (Polk to Exp. 83), Railroad Crossing Improvements, Traffic Signals and School Flasher Improvements, PSJA Tri-City Pedestrian Safety Improvements, and Pharr Pedestrian Connections FY 2017 projects. He further presented the proposed drainage improvements and proposed utility improvements to

include estimated construction costs. Lastly, he provided a potential CIP funding for new budget and stated the cost would be a total of \$52 Million for capital improvements.

Mayor Hernandez requested to place online map for alley pavement project and asked if school flashers or radars were better. Chief Villescas stated radars were not close to schools, so they were different from flashers.

Comm. Guajardo and Comm. Medina asked how much the cost per mile to reconstruct street was. Omar Anzaldúa, City Engineer, stated he would put a cost estimate for concrete and asphalt material and would present them the information later.

PARKS & RECREATION / TRAVEL FOR SPORTING EVENTS – 4:50pm

Sergio Alanis, Parks & Recreation Director, presented a quality of life concern regarding travel for sporting events and proper budgeting for these events. He asked the commission what their thoughts were regarding this matter, whether to continue budgeting or discontinue travel sporting event arrangement for kids that qualified for out of town competition.

Mayor Hernandez stated the city should continue funding sport traveling events, but should advise the public of any changes for next fiscal year.

FINANCE (CITY WIDE) – 5:06pm

Karla Moya, Finance Director, presented fiscal facts for current budget and stated all departmental expenditures were within budget. She further presented the proposed budget for FY 2017-2018 and reviewed the General Fund, Public Utilities Fund, Bridge Fund, Golf Fund, Long-Term Debt, Capital Outlay and Component Units.

Comm. Bracamontes questioned the \$27,000 budgeted amount missing from the PAL Division for Rugby sport. Ms. Moya stated those funds were budgeted by department and this was a proposed budget at this time.

Mayor Hernandez stated the Commission could vote to add or delete from proposed budget. Comm. Bracamontes felt Parks and Recreation and PAL programs were being handled wrong and needed to be revised somehow.

At this time, Juan G. Guerra, City Manager, stated they would go into closed session. There was no objection.

3. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE

SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEM 2

The time being 5:48 p.m., Mayor Hernandez stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

4. RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION

The time being 8:10 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

5. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Medina seconded the motion and when put to a vote, the motion carried unanimously. Budget Workshop adjourned at 8:10 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR

ON THIS THE 2nd DAY OF AUGUST 2017 the Board of Commissioners of the City of Pharr, Texas convened in a **BUDGET WORKSHOP** at the Commissioner's Room located at 118 S. Cage, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

HILDA PEDRAZA, CITY CLERK

APPROVED:

**MINUTES
BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING
WEDNESDAY, AUGUST 30, 2017 AT 4:00 P.M.
118 SOUTH CAGE 2ND FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Special Called Meeting on Wednesday, August 30, 2017 and following is the record of attendance.

BOARD OF COMMISSIONERS PRESENT: Mayor Ambrosio Hernandez
Comm. Eleazar Guajardo
Comm. Roberto Carrillo
Comm. Ramiro Caballero
Comm. Ricardo Medina
Comm. Daniel Chavez

BOARD OF COMMISSIONERS ABSENT: Comm. Mario Bracamontes

STAFF PRESENT: Juan G. Guerra, City Manager
Ed Wylie, Deputy City Manager
Hilda Pedraza, City Clerk
Omar Anzaldua, City Engineer
Gary Rodriguez, Boggus Ford Events Center
Karla Moya, Finance Director
Anali Alanis, HR Director
Ruben Villescas, Police Chief
Melanie Cano, Dev. Services Dir.
Raul Garza, CDBG Director
Adolfo Garcia, Library Dir.
Luis Bazan, Bridge Director
Rick Castro, Asst. IT Director

CITY ATTORNEY Patricia Rigney, City Attorney

ITEM 1. CALL TO ORDER

Mayor Hernandez called the meeting to order at 4:03 p.m. Roll Call established a quorum.

**A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY
ABSENT MEMBER OF THE GOVERNING BODY**

Comm. Guajardo moved to excuse the absent member. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

ITEM 2. PUBLIC HEARINGS:

A) FIRST PUBLIC HEARING: SOLICITATION OF COMMENTS ON THE PROPOSED TAX RATE. (ADMINISTRATION)

Kenneth Fletcher thanked the Board for the tax reduction and stated he thought he was getting an increase. He further stated more monies should be allocated for training public safety officers with respect to ordinances; paving improvements at Utility Drive; and park land green infrastructure.

ITEM 3. ORDINANCES AND RESOLUTIONS:

A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE AMENDING ORDINANCE O-2017-15 FOR BUDGET AMENDMENTS TO THE FISCAL YEAR 2016-2017 BUDGET (FINANCE)

Juan G. Guerra, City Manager, introduced the item and recommended approval.

Comm. Carrillo **moved** to approve. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously.

Ordinance No. O-2017-34 is filed with the City Clerk's Office.

B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE CREATING A COMMUNICATION CENTER AND A PURCHASING DEPARTMENT (HR)

Juan G. Guerra, City Manager, introduced the item and recommended approval.

Comm. Guajardo **moved** to approve. Comm. Chavez seconded the motion and when put to a vote, the motion carried unanimously.

This was the first reading of the ordinance.

ITEM 4. LEGAL:

A) CONSULTATION WITH ATTORNEYS ON JACKSON PLACE APARTMENTS (LEGAL)

Juan G. Guerra, City Manager, introduced the item and stated no action was necessary at this time.

ITEM 5. **CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PHARR BOARD OF COMMISSIONERS HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA**

None.

ITEM 6. RECONVENE INTO REGULAR SESSION, AND CONSIDER ACTION, IF NECESSARY ON ANY ITEM(S) DISCUSSED IN CLOSED SESSION

None.

ITEM 7. ADJOURNMENT

There being no other business to come before the board, Comm. Guajardo **moved** to adjourn. Comm. Caballero seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:078 p.m.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR**

ON THIS THE 30th DAY OF AUGUST 2017 the Board of Commissioners of the City of Pharr, Texas convened in a **SPECIAL CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

HILDA PEDRAZA, CITY CLERK

APPROVED:



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.B.

DATE SUBMITTED: August 28, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Consideration and action, if any, on request from St. Margaret Mary Catholic Church for street closure of 100 Block of West Juarez between Cage Blvd. and Aster on Saturday, September 30, 2017 and Sunday, October 1, 2017 for their Annual Festival/Jamaica.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: St. Margaret Mary Church is requesting street closure of the 100 Block of West Juarez between Cage Blvd. and Aster Street for their Annual Jamaica on Saturday, September 30, 2017 at 4:00 pm. to 10:00 p.m. on Sunday, October 1, 2017.

Financial Consideration:

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 08/28/2017
Final Approval - 08/30/2017



CITY OF PHARR
PARADES, PROCESSIONS AND STREET CLOSURE FORM
P.O. Box 1729 * 118 S. Cage Blvd. * Pharr, Texas 78577
Fax 956-702-5313



Date of Event: Sat, Sept. 30 and Sun, Oct. 1, 2017
Type of Event: ☐ Parade ☐ Walk-A-Thon ☐ Other Festival (Jamaica)
NAME OF CONTACT PERSON: Rev. Ernesto Magallon
ORGANIZATION (IF APPLICABLE): St. Margaret Mary Catholic Church
ADDRESS: 122 W. Hawk Ave. CITY: Pharr ZIP CODE: 78577
PHONE NO.: (956) 787-8563 CELLULAR PHONE: _____
FAX NO.: _____ E-MAIL: ~~_____~~

PURPOSE AND DESCRIPTION OF EVENT:

Annual Church festival to raise funds

START TIME: Sat, Sept. 30th at 4:00 p.m. END TIME: Sun, Oct. 1st at 10:00 p.m.
ROUTE TO BE TRAVELED OR UTILIZED (Attach Site & Traffic Plan)

Starting Location: 100 Block of West Juarez between Cage and Aster

Ending Location: _____

Will event occupy all or only a portion of the width of the street? All

Is the event insured? ☒ Yes ☐ No
If yes, Insurance Company Information: Catholic Mutual Contact #: (956) 787-8563

Applicant Signature:

FOR CITY USE ONLY:

Date Received: _____

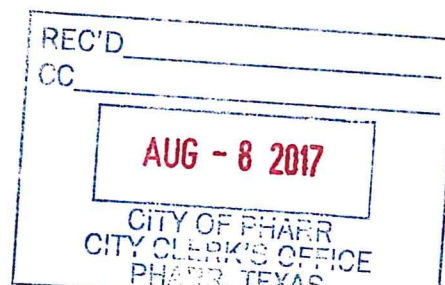
City Commission: _____

APPROVED _____

DENIED _____

City Manager's signature

Date





AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.C.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: HR

DIRECTOR:

Agenda Item: Consideration and action, if any, on Ordinance creating a Communication Center and a Purchasing Department. ***2nd Reading***

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

In order to provide the City of Pharr with a centralized 9-1-1 call center a Communication Center is needed. In addition, in order to centralize and streamline all procurement processes for the City a Purchasing Department must be created.

Financial Consideration:

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017

Anali Alanis

Approved - 09/01/2017

Karla Moya

Approved - 09/01/2017

Patricia Rigney

Approved - 09/01/2017

City Management Office

Approved - 09/01/2017

Anali Alanis

Final Approval - 09/01/2017

ORDINANCE NO: O-2017- ____

AN ORDINANCE ESTABLISHING A COMMUNICATION CENTER AND PURCHASING DEPARTMENT; DUTIES; INCLUSION IN PHARR CODE OF ORDINANCES; ADOPTION OF RELATED LAWS; RATIFICATION OF PRIOR ACTS; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:

SECTION 1: The Communication Center and Purchasing Department shall be created pursuant to the city charter, municipal chain of authority and city employment policy. This Ordinance and provisions herewith shall be included in the Pharr Code of Ordinances. All acts occurring prior to the effective date of this Ordinance shall be ratified and adopted.

SECTION 2: As matters related to procurement practices, public safety and welfare of the residents of the City of Pharr, the Communication Center and Purchasing Department shall be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as may be allowed by law.

SECTION 3: This Ordinance shall be cumulative of all other ordinances dealing with the same subject and other ordinances in direct conflict with this Ordinance is herewith repealed and this Ordinance shall supersede and provisions in conflict herewith; all other provisions of the above described ordinance shall remain in full force and effect.

SECTION 4: If any section, part of provisions of this Ordinance is declared unconstitutional or invalid, such declaration shall not effect the validity of the remaining sections, parts or provision of this Ordinance.

SECTION 5: The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD AND FINAL READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.D.

DATE SUBMITTED: August 31, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Parks/PAL

DIRECTOR: Sergio Alanis

Agenda Item: Consideration and action, if any, on Ordinance amending Ordinance O-2017-06 (Rental of Natatorium). ***2nd Reading***

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: P-SJ-A ISD will be utilizing the natatorium for extended hours for the up-coming school year 2017-2018; therefore, eliminating the availability for the rental of the indoor pool.

Financial Consideration: n/a

Staff Recommendation: City Commission approve this item

Alternatives: n/a

ROUTING:

Hilda Pedraza
Sergio Alanis
City Management Office

Created/Initiated - 08/31/2017
Approved - 08/31/2017
Final Approval - 09/01/2017

ORDINANCE NO. O-2017-____

AN ORDINANCE AMENDING ORDINANCES O-2017-06; O-2016-25; O-2015-44; O-2015-38, O-2015-11, O-2014- 48, O-2013-41, O-2013-22, O-2012-41; O-2011-50, O-2011-23, O-2009-25, O-97-14, CITY CODE, CHAPTER 30, SECTION 30-26, 30-27, 30-38, 30-40, AND 30-41; ESTABLISHING PROCEDURES AND RATES FOR RENTAL OF CITY FACILITIES; AND ESTABLISHING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

SECTION 1: SECTION 30-37 OF THE CITY CODE IS AMENDED TO READ AS FOLLOWS:

“Sec. 30-37. Rental reservations, advanced reservations, limitations of serial reservations”

To reserve a City facility, renter/lessee must execute a lease agreement and pay the rental and rental deposit as set out in Section 30-41. To maintain the reservation, all rental fees must be paid within the time limitations set out in Section 30-41. Advanced reservations may be made as set out in Section 30-41. If the lessee desires to make a series of reservations, the director shall be authorized to limit the number of serial reservations by a single lessee in order to ensure varied public availability of facilities. (Ord. No. O-94-12, & IV (J), 4-5-94; Ord. No. O-97-14, & 2, 3- 97). Rental fees and charges may be determined by an Interlocal agreement for political subdivisions.

SECTION 2: SECTION 30-40 OF THE CITY CODE IS AMENDED TO READ AS FOLLOWS:

“Sec. 30-40. Rental fee classes”

For the purpose of the rental fee schedule set out in section 30-41, except for the Pharr Events Center, the following rental fee classes are established:

- (1) **Class I** (Commercial / Profit-making) shall apply to any and all activities such as exhibitions, sporting events, shows, dances, and all other activities sponsored by private entities for the purpose of profit-making; such as through charging of admission fees at the door or in advance. Examples are boxing matches, commercial exhibitions, indoor flea markets, concerts, etc.
- (2) **Class II** (Non-Commercial / Non-Profit-making) shall apply to any and all activities sponsored by public or private non-profit entities for the expressed purpose of raising funds either through the charging of admission fees or the solicitation of donations. Examples are dances sponsored by non-profit corporations and church events

- (3) **Class III** (Non-commercial / Private) shall apply to any and all activities sponsored by private entities to which admission might be restricted; but to which an admission fee will not be charged and profit-making is not intended. These activities may include weddings, quinceañeras, receptions, birthday parties and company banquets, etc.

SECTION 3: SECTION 30-41 OF THE CITY CODE IS AMENDED TO READ AS FOLLOWS:

“Sec. 30-41. Rental fee schedule”

The following rental fees shall be charged for the use of city-owned public facilities, by rental fee classes as defined in this article.

- a. Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. Rental and damage deposit.** \$200.00 to be paid at the time reservation is made. This deposit will be deducted from the total amount due.
- c. Security personnel.** All activities involving dancing, and the selling, serving and/or consumption of alcoholic beverages will require a minimum of three certified City of Pharr Police Officers to be contracted by the renter. The City of Pharr Police Department will designate the number of certified police officers required for functions. If more than 3 officers are required, they may be either certified police officers and/or security personnel from a licensed and bonded security company.
- d. Advanced reservations.** Class I reservations will be accepted for up to two years to the month in advance of the reserved date. Class II and III reservations will not be accepted more than one year to the month in advance of reserved date.

(1)TIERRA DEL SOL (HALL AND BAR AREA)

Rental Period	Time	Deposit	Rental Rate Class I	Rental Rate Class II	Rental Rate Class III
Sunday-Thursday	8:00 a.m. – 1:00 p.m.	\$200.00	\$400.00	\$350.00	\$300.00
	8:00 a.m. – 7:00 p.m.	\$200.00	\$900.00	\$800.00	\$700.00
	1:00 p.m. – 12 MID.	\$200.00	\$900.00	\$800.00	\$700.00
Friday	8:00 a.m. – 1:00 p.m.	\$200.00	\$500.00	\$450.00	\$400.00
	8:00 a.m. – 7:00 p.m.	\$200.00	\$1000.00	\$900.00	\$800.00
	1:00 p.m. – 12 MID.	\$200.00	\$1000.00	\$900.00	\$800.00
Saturday	8:00 a.m. – 1:00 p.m.	\$200.00	\$500.00	\$450.00	\$400.00
	8:00 a.m. – 7:00 p.m.	\$200.00	\$1100.00	\$1000.00	\$900.00
	1:00 p.m. – 1:00 a.m.	\$200.00	\$1200.00	\$1100.00	\$1000.00

(2) ~~LAS MILPAS COMMUNITY CENTER:~~

Rental Period	Time	Deposit (not refunded)	Rental Rate
Monday-Sunday	8 a.m.-12 MID.	\$50.00	\$50.00 Per hr.

- ~~a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.~~
- ~~b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.~~
- ~~c. **Restricted usage.** No alcoholic beverages will be allowed on premises.~~

(3) VICTOR GARCIA MUNICIPAL PARK:

Rental Period	Time	Deposit (not refunded)	Rental Rate
MUNICIPAL PARK 205 W. Polk Monday-Sunday	1 p.m.-10 p.m.	\$25.00	\$100.00

- a. Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. Restricted usage.** No Class I or Class II activities will be allowed. No activity which involve dancing and/or the live playing of electronically amplified music will be permitted. The playing of prerecorded is allowed provided the volume is not such as to disturb nearby residents.

(4) PHARR SPORTS COMPLEX:

Rental Period	Time	Deposit (not refunded)	Rental Rate
Monday-Friday	6 p.m.-10 p.m.	\$50.00	\$375.00
Saturday	8 a.m.-10 p.m.	\$50.00	\$375.00
Sunday	8 a.m.-10 p.m.	\$50.00	\$375.00

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. **Restricted usage.** Parks will be used for practice and tournaments only. **No alcoholic beverages will be allowed on premises.**

(5) WITTEN PARK:

Rental Period	Time	Deposit (not refunded)	Rental Rate
Saturday	8 a.m. to 10 p.m.	\$50.00	\$250.00
Sunday	8 a.m. to 10 p.m.	\$50.00	\$250.00

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. **Restricted usage.** Parks will be used for practice and tournaments only. **No alcoholic beverages will be allowed on premises.**

(6) CIVIC CENTER (LARGE HALL):

Rental Period	Rental Period	Time	Deposit	Rental Rate Class I	Rental Rate Class II	Rental Rate Class III
Sunday-Thursday	Morning	8:00 a.m. – 1:00 p.m.	\$200.00	\$400.00	\$360.00	\$300.00
	Day	8:00 a.m. – 7:00 p.m.	\$200.00	\$900.00	\$800.00	\$700.00
	Evening	1:00 p.m. – 12 MID.	\$200.00	\$900.00	\$800.00	\$700.00
Friday	Morning	8:00 a.m. – 1:00 p.m.	\$200.00	\$450.00	\$400.00	\$360.00
	Day	8:00 a.m. – 7:00 p.m.	\$200.00	\$1000.00	\$900.00	\$800.00
	Evening	1:00 p.m. – 12 MID.	\$200.00	\$1000.00	\$900.00	\$800.00
Saturday	Morning	8:00 a.m. – 1:00 p.m.	\$200.00	\$500.00	\$450.00	\$400.00
	Day	8:00 a.m. – 7:00 p.m.	\$200.00	\$1,100.00	\$1,000.00	\$900.00
	Evening	1:00 p.m. – 1:00 a.m.	\$200.00	\$1,100.00	\$1,000.00	\$900.00

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Rental and damage deposit.** \$200.00 to be paid at the time reservation is made. This deposit will be deducted from the total amount due.
- c. **Security personnel.** All activities involving dancing, the selling, serving and/or consumption of alcoholic beverages will require a minimum of two City of Pharr Police Officers to be contracted by the lessee. Lessor will designate the number of City of Pharr Police Officers required for functions.

(7) CIVIC CENTER (SMALL HALL):

Rental Period	Time	Deposit (not refunded)	Class I	Class II	Class III
Sunday-Friday	6 p.m.-12 MID.	\$50.	\$60. Per hr.	\$40. Per hr.	\$50. Per hr.
Saturday	8 a.m.-1:00 a.m.	\$50.	\$70. Per hr.	\$50. Per hr.	\$60. Per hr.

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. **Restricted usage.** No activity which entails dancing and/or the live playing of electronically amplified music will be permitted. Prerecorded music will be allowed provided there are no activities being conducted at the Large Hall and provided the volume is not sure as to disturb nearby residents. **No alcoholic beverages will be allowed on premises.**

(8) CIVIC CENTER (CONFERENCE ROOM)

Rental Period	Time	Deposit (not refunded)	Class I	Class II	Class III
Monday-Sunday	1 p.m.-12 MID.	\$20.00	\$25.00 Per hr.	\$15.00 Per hr.	\$20.00 Per hr.

Available for rental to small groups (Capacity - 48). A non-refundable deposit of \$20.00 is required to reserve the Conference Room. Reservations will not be accepted more than 90 days before reserved date. Rules regarding Small Hall usage are also applicable to the Conference Room.

(9) JONES BOX PARK

Rental Period	Time	Deposit (not refunded)	Rental Rate
Saturday	8 a.m. to 10 p.m.	\$50.00	\$250.00
Sunday	8 a.m. to 10 p.m.	\$50.00	\$250.00

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. **Restricted usage.** Parks will be used for practice and tournaments only. No smoking or alcoholic beverages will be allowed on premises.

~~(10) PHARR AQUATIC CENTER NATATORIUM~~

~~*** The Pharr Aquatic Center Natatorium will be used for U.S.A. Swim practice at the designated time only. U.S.A Swim Meets are to be coordinated with the City of Pharr at least 90 days in advance; to which the City of Pharr reserves the right to collect any and all entrance fees and concession sales.~~

Rental Period	Time	Deposit (not refunded)	Rental Rate
Monday-Friday	6 p.m. to 8 p.m.	\$200.00 Monthly	\$325.00 Monthly

- ~~a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.~~
- ~~b. **Restricted usage.** Pharr Aquatic Center natatorium will be used for U.S.A. Swim practice and swim meets only. No smoking or alcoholic beverages will be allowed on premises.~~

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect upon receiving final approval by the governing body following three (3) readings of the Board of Commissioners.

CONSIDERED PASSED AND APPROVED ON FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2017, A.D.

CITY OF PHARR

AMBROSIO "AMOS" HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

CONSIDERED PASSED AND APPROVED ON SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2017, A.D.

CITY OF PHARR

AMBROSIO "AMOS" HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

CONSIDERED PASSED AND APPROVED ON THIRD AND FINAL READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2017, A.D.

CITY OF PHARR

AMBROSIO "AMOS" HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.E.

DATE SUBMITTED: August 28, 2017

MEETING DATE: September 5, 2017

FROM: Joel Robles, Assistant Police Chief

DEPARTMENT: Police

DIRECTOR: Ruben Villegas

Agenda Item: Consideration and action, if any, on Resolution for authorization to submit grant application to the Office of the Governor-Criminal Justice Division: BG-Rifle-Resistant Body Armor Grant Program (BAGP).

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Enhanced officer safety and ballistic protection for our first responders-In response to continued violent critical incidents at schools and public venues, the Pharr PD has developed enhanced training for Active Shooter scenarios. In an effort to prepare for and provide an enhanced response to critical violent incidents, the Pharr PD conducts ongoing training to deal with these threats and unusual situations that require an expedited response in order to save lives.

In addition to training, law enforcement must be prepared and equipped to deal with armed suspects in order to effectively mitigate the threat posed to the public (i.e., July 7th 2016 shooting of numerous police officers in Dallas, Texas). It is essential that all members of the Pharr PD have sufficient ballistic resistant vests to protect them from gunfire. The Pharr PD objective is to utilize allocated funds to purchase 87 Rifle-Resistant Body Armor ballistic vests, thus, improving officer safety.

In order to provide enhanced ballistic protection and increase officer safety, the Pharr PD intends to purchase ballistic vests. Ballistic vests are essential personal protective items that are required to be worn by members of the Pharr PD. The daily wear by deputies allows them to carry out their duties while protecting them from sudden violent

attacks from gunfire or edged weapons.

The intent is to equip officers with NIJ certified ballistic vests that are rated to stop handgun rounds, shotgun and rifle rounds. The Pharr PD is looking to purchase the NIJ certified ballistic vests Active Shooter Kit. These vests are required to be worn by all police officers while on duty. The daily wear of ballistic vests by all officers allows them to respond quickly to an active shooter incident, while providing ballistic protection and improving officer safety. The use of ballistic vests serves to increase the likelihood that they can carry out their duties and save lives, while improving the chances that they go home at the end of the day.

Enhanced officer safety and ballistic protection for our first responders-In response to continued violent critical incidents at schools and public venues, the Pharr PD has developed enhanced training for Active Shooter scenarios. In an effort to prepare for and provide an enhanced response to critical violent incidents, the Pharr PD conducts ongoing training to deal with these threats and unusual situations that require an expedited response in order to save lives.

It is essential that all members of the Pharr PD have sufficient ballistic resistant vests to protect them from gunfire. The Pharr PD objective is to utilize allocated funds to purchase 87 Rifle-Resistant Body Armor ballistic vests, thus, improving officer safety.

Financial Consideration: There is no match required for this grant.

Staff Recommendation: Approval for this request.

Alternatives: Not allow this resolution and not seek funding available to equip all patrol personnel with NIJ Certified Ballistic Active Shooter Kits

ROUTING:

Joel Robles

Created/Initiated - 08/28/2017

Ruben Villegas

Approved - 09/01/2017

Karla Moya

Approved - 09/01/2017

City Management Office

Final Approval - 09/01/2017

Office of the Governor-Criminal Justice Division
Funding Source: BG-Rifle-Resistant Body Armor Grant Program (BAGP)

GRANT RESOLUTION 2017 # _____

WHEREAS, The City of Pharr finds it in the best interest of the citizens of Pharr, that the **Pharr BG-Rifle-Resistant Body Armor Grant Program (BAGP) Project** be operated for the January 1, 2018 thru December 31, 2018 and

WHEREAS, The City of Pharr City Commission agrees to provide applicable matching funds for the said project as required by the Office of the Governor Criminal Justice Division grant application; and

WHEREAS, The City of Pharr City Commission agrees that in the event of loss or misuse of the Criminal Justice Division funds, The City of Pharr City Commission assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, The City of Pharr City Commission designates **Ruben Villescas, Chief of Police** as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Pharr City Commission approves submission of the grant application for the **BG-Rifle-Resistant Body Armor Grant Program (BAGP)Project** to the Office of the Governor, Criminal Justice Division.

SIGN BY: PASSED AND APPROVED THIS ____ DAY OF _____, 2017.

Grant Number: 3479101

CITY OF PHARR

AMBROSIO "AMOS" HERNANDEZ MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

C e r t i f i c a t i o n

The State of Texas

County of Hidalgo

City of Pharr

I, Hilda Pedraza, duly appointed City Clerk of the City of Pharr, Texas, do hereby certify that the foregoing Constitutes a true and correctly copy of the original Resolution duly passed and adopted by the board of Commissioners of the City of Pharr, Texas, on the ____ day of September 2017, ad.

(Resolution no. _____)

In witness whereof, I have hereunto subscribed my official Signature and impressed the seal of the City of Pharr, Texas, This the _____ day of September, 2017, ad.

City of Pharr

Hilda Pedraza, City Clerk



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.F.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Ruben Villegas, Chief of Police

DEPARTMENT: Police

DIRECTOR:

Agenda Item: Consideration and action, if any, on Resolution authorizing FY17 Local Edward Byrne Memorial Justice Assistance Grant application submission and acceptance.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Approval of resolution for the submission of FY Local Edward Byrne Memorial Grant application and acceptance of Award.

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Ruben Villegas

Created/Initiated - 08/30/2017

Ruben Villegas

Approved - 08/30/2017

Karla Moya

Approved - 08/31/2017

Patricia Rigney

Approved - 08/31/2017

City Management Office

Final Approval - 09/01/2017

PHARR POLICE DEPARTMENT

RESOLUTION OF THE CITY OF PHARR (POLICE DEPARTMENT) TO APPLY, SUBMIT AND RECEIVE A DIRECT AWARD GRANT IN THE AMOUNT OF \$17,842 FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FISCAL YEAR (FY) 2017 LOCAL SOLICIATION APPLICATION DUE: SEPTEMBER 04, 2017.

WHEREAS, The Pharr Police Department finds it in the best interest of the citizens of city of Pharr that the Digital Interview and Custodial Recording System Project be operated for the fiscal year 10-1-17 to 09-30-2018; and

WHEREAS, the US Department of Justice through the Edward Byrne Memorial Justice Assistance Grant (JAG) has allocate \$17,842 in grant funds to the City of Pharr Police Department for supporting law enforcement, crime prevention and criminal justice programs; and

WHEREAS, Pharr Police Department agrees that in the event of loss or misuse of the US Department of Justice through the Edward Byrne Memorial Justice Assistance Grant (JAG) funds, Pharr Police Department assures that the funds will be returned to the Justice Assistance Grant (JAG) in full.

WHEREAS, Pharr Police Department designates Ruben Villescas, Chief of Police as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that Pharr Police Department approves submission of the grant US Department of Justice through the Edward Byrne Memorial Justice Assistance Grant (JAG) Division.

PASSED AND APPROVED THIS 5th **DAY OF** September, 2017.

APPROVED:

Mayor Ambrosio Hernandez

ATTEST:

Hilda Pedraza, City Secretary

Certification

The State of Texas

County of Hidalgo

City of Pharr

I, Hilda Pedraza, duly appointed City Clerk of the City of Pharr, Texas, do hereby certify that the foregoing Constitutes a true and correctly copy of the original Resolution duly passed and adopted by the board of Commissioners of the City of Pharr, Texas, on the ___5th__ day of September __, 2017, ad.

(Resolution no. _____)

In witness whereof, I have hereunto subscribed my official Signature and impressed the seal of the City of Pharr, Texas, This the 5th day of September, 2017, ad.

City of Pharr

Hilda Pedraza, City Clerk



AGENDA ITEM SUMMARY

BOARD OF COMISSIONERS

DATE SUBMITTED: 08/29/2017

C.C. MEETING DATE: 09/05/2017

SUBMITTED BY: Chief Ruben Villescas

DEPARTMENT: Police

DIRECTOR: Chief of Police Ruben Villescas

AGENDA ITEM: Consideration and Action Approving a Resolution for authorization to Submit Application to and Accept FY 2017 Local Edward Byrne Memorial Justice Assistance Grant Project Award for \$17,842.00 for the Purchase of a Digital Interview and Custodial Recording System.

CLASSIFICATION: ☐ Public Hearing ☐ Consent ☒ Regular ☐ Closed Session

(*If closed session, City Attorney must review and approve.)

EXCLUDE MATERIAL FROM PUBLIC PACKET: ☐ Yes ☒ No
Reason?

ROUTING:

CITY ATTORNEY: _____ DATE: _____

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: _____ DATE: _____

DEADLINES:

Wednesday 12 noon the week before City Commission Meeting:

- All items needing review by the City Attorney (complete with all materials and Agenda Item Summary for review) Understand that lengthy items or items that require outside specialized consultation may not make the agenda you specify. The sooner you have items ready for review the better.

Wednesday by 4 pm the week before City Commission meeting:

- All Agenda Item Request Forms are due to City Clerk so the agenda can be completed.

Thursday by 5 pm the week before City Commission meeting:

- All back up data for all agenda items are due to City Clerk so final packets can be assembled.

MEMORANDUM

DATE: August 29, 2017
TO: Juan G Guerra, City Manager
FROM: Ruben Villescas, Police Chief

SUBJECT: Consideration and Action Approving a Resolution for authorization to Submit Application to and Accept FY 2017 Local Edward Byrne Memorial Justice Assistance Grant Project Award for \$17,842.00 for the Purchase of a Digital Interview and Custodial Recording System.

ISSUE:

The Pharr Police Department received notification of the FY2017 Local Edward Byrne Memorial Justice Assistance Grant Program grant solicitation thru the Governor's Office. We have to submit a grant application that required that it be made available to the governing body for review. The grant award is for the amount of \$17,842 and does not require any matching funds from the city. The Grant application is due by September 5, 2017.

The Grant does require that we hold a public hearing for citizen input on the designated grant project Digital Interview and Custodial Recording System. We must allow a 30 day period between posting of the public hearing notice and an abstract has to be made available for the citizen's review. **The public hearing on the project will be held on the regular scheduled commission meeting for October 2, 2017.**

FINANCIAL CONSIDERATION:

The approved grant award is for the amount of \$17,842 and does not require a match. However the project cost could be up to \$30,000.00 and needed funds would be acquired from seized assets.

ALTERNATIVE:

Not accept the grant award.

STAFF RECOMMENDATION:

I recommend that approval be given for Resolution and grant application submitted and award accepted.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.G.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Consideration and action, if any, on request for road closures for the Diez y Seis de Septiembre Festival on Friday, September 15, 2017.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The City of Pharr will be holding it's Diez y Seis de Septiembre Festival on Friday, September 15, 2017 and we are respectfully requesting the closure of the 400-500 block of Rosa Lane between South Colorado Lane and South Amarillo Street.

Financial Consideration:

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 08/30/2017
Final Approval - 08/30/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.H.

DATE SUBMITTED: August 31, 2017

MEETING DATE: September 5, 2017

FROM: Gary Rodriguez, Events Center Director

DEPARTMENT: Events Center

DIRECTOR: Gary Rodriguez

Agenda Item: Consideration and action, if any, authorizing the sale of beer at Jones Box Park for the Diez y Seis Festival on Friday, September 15, 2017.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Consideration and action, if any, authorizing the sale of beer at Jones / Box Park for the Diez y Seis de Septiembre Festival on Friday September 15, 2017 from 6:00 pm - 10:00 pm. Sales will be conducted by Pharr Crime Stoppers as a fundraiser for this non-profit agency.

Financial Consideration: There is no fiscal consideration for this request.

Staff Recommendation: Staff Recommends Approval.

Alternatives:

ROUTING:

Gary Rodriguez
Karla Moya
City Management Office

Created/Initiated - 08/31/2017
Approved - 09/01/2017
Final Approval - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.I.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Gary Rodriguez, Events Center Director

DEPARTMENT: Events Center

DIRECTOR: Gary Rodriguez

Agenda Item: Consideration and action, if any, on request from American Cancer Society to waive rental fees of Boggus Ford Events Center for their Annual Cattle Baron's Ball on Saturday, September 9, 2017.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Consideration and action, if any, on request from American Cancer Society to waive rental fees of Boggus Ford Events Center for Annual Cattle Baron's Ball Fundraiser on Saturday September 9, 2017.

Financial Consideration: Fiscal consideration is waiving the amount of \$5,000 rental fees.

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Gary Rodriguez
Karla Moya
City Management Office

Created/Initiated - 08/30/2017
Approved - 08/31/2017
Final Approval - 09/01/2017



August 24, 2017

Dear Mr. Rodriguez:

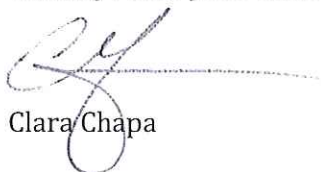
Greetings on behalf of the American Cancer Society and the Cattle Baron's Ball of the RGV! Plans are currently underway for this year's event to be held September 9, 2017.

We would appreciate your support of this event by kindly donating the use of the Boggus Ford Events Center. We appreciate the City of Pharr's generous support of this event and are proud to call the City an American Cancer Society Sponsor. As a sponsor of the 2017 Cattle Baron's Ball, you will be leading the way in the fight against cancer in your community. In partnership with YOUR American Cancer Society, you will continue our mission of creating a world with less cancer and more birthdays by helping people stay well, get well, finding cures and fighting back.

In addition, your support helps to benefit our local patient services, which provide much needed assistance to low-income and underprivileged Valley residents who are battling cancer. These services include transportation, and lodging that help patients in getting to doctor appointments and cancer treatments. Other services include wig and turban distribution, 24/7 patient navigator support via telephone, support groups, as well as bilingual diagnosis related information services.

Should you have any further questions please feel free to call our office at 956.682.8329.

Thank you for your time!



Clara Chapa

Community Development Manager
American Cancer Society
High Plains Division

Tax ID No: 13-1788491 **Your contributions are tax deductible.*





AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.J.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Gary Rodriguez, Events Center Director

DEPARTMENT: Events Center

DIRECTOR: Gary Rodriguez

Agenda Item: Consideration and action, if any, on request from Pharr-San Juan-Alamo ISD to waive rental fees of Boggus Ford Events Center for their College Night Presentation on Tuesday, September 26, 2017.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Consideration and action, if any, on request from PSJA ISD for waiver of rental fees of the Boggus Ford Events Center for Tuesday September 26, 2017, from 5:00 pm - 9:00 pm for College Night Presentation.

Financial Consideration: Fiscal consideration is in the amount of \$1,000 in rental fees waived.

Staff Recommendation: The venue is available and staff recommends approval

Alternatives:

ROUTING:

Gary Rodriguez
Karla Moya
City Management Office

Created/Initiated - 08/30/2017
Approved - 08/31/2017
Final Approval - 09/01/2017

June 19, 2017

City of Pharr
Juan Guerra, City Manager
118 S. Cage
Pharr, TX 78577

Re: Boggus Ford Events Center

Dear Mr. Guerra:

The Pharr-San Juan-Alamo ISD College Readiness Department is requesting the use of the Boggus Ford Events Center to host our annual College Night. This event is scheduled for **Tuesday, September 26, 2017 from 5:00 p.m. to 9:00 p.m.**

We greatly appreciate your support in making a difference in PSJA and for being our partner in education. If you have any questions or need additional information, please call me at (956) 354-2053.

Sincerely,



Rene Campos

Asst. Superintendent for Support Services

START COLLEGE NOW! COMPLETE EARLY! GO FAR!

601 E. Kelly St., Pharr, TX 78577 P: (956) 354-3001 F: (956) 354-3001 www.psjaisd.us

It is the policy of Pharr-San Juan-Alamo ISD not to discriminate on the basis of sex, disability, race, color, religion, national origin or age.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.K.

DATE SUBMITTED: August 28, 2017

MEETING DATE: September 5, 2017

FROM: Elva Edmundson, Administrative Assistant

DEPARTMENT: Parks/PAL

DIRECTOR:

Agenda Item: Consideration and action, if any, on donation for Pharr-San Juan-Alamo ISD for the 3rd Annual MATP (Motor Activity Training Program).

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: P-SJ-A ISD. is hosting the 3rd Annual Special Olympics event in October at Southwest High School and is requesting a donation from the City to purchase supplies for their event. The Special Olympic MATP event will involve all of the P-SJ-A special needs students from ages three-22 years of age.

Financial Consideration: Monetary donation would consist of approximately \$500.

Staff Recommendation: City Commission approve this item.

Alternatives:

ROUTING:

Elva Edmundson
Sergio Alanis
City Management Office

Created/Initiated - 08/28/2017
Approved - 09/01/2017
Final Approval - 09/01/2017



Dear Special Olympics Supporter:

Sergio Alaniz-Pharr Parks & Recreation

The P.S-J.A ISD is proud to host the 3rd annual MATP (Motor Activity Training Program) Special Olympics event this October 2017 at Southwest High School. We invite you to share in this opportunity to make a difference in the lives of individuals with intellectual disabilities. The generous support and camaraderie received by supporters is vital to the continued growth and success of the movement.

This Special Olympic MATP Event is an event that will involve all of the P.S-J.A special needs students from ages 3 to 22 years of age. This event will involve students, parents, teachers, staff, administration, and foster community involvement. For the first time, P.S-J.A will host this Special Olympic event for all of its students and you will have an opportunity to be part of this great event.

We are pleased to offer sponsorship opportunities to this important Special Olympics event with the type of exposure that only Special Olympics can deliver. The P.S-J.A ISD will not only provide a backdrop and opportunity for all of our students to enjoy and participate in this event but allow for the community at large to experience the impact of the Special Olympics movement. The skill, courage, and joy of Special Olympics are amassed in the collective effort of volunteers and athletes.

We are both very proud to be associated with the MATP Special Olympics event and hope you can show your support by making a financial contribution to impact a deserving athlete's life! You have the opportunity to contribute to the success of our exceptional students. If you have any questions or wish to confirm your support, please do not hesitate to contact us at (956) 354-2200.

Sincerely,

Debra Salinas
P.S-J.A Special Education Director

M. De La Garza/D. Malone/M. Guajardo
Adapted Physical Education
P.S-J.A Head of Delegation-Special Olympics



MATP –SPECIAL OLYMPICS EVENT

Supply List

1. Rice 10 lbs.
2. Beans 10 lbs.
3. Elbow Macaroni 3 bags of 32 ounces
4. Play-doh assorted colors: 40 cups Wal-Mart or Lakeshore Dough 3 lb. tubs 6 -1 of each bottles
color : item AX20 (\$49.99)
5. Moon Sand: Online or Lakeshore 4 bags
6. Bubble Solution: 2 Gallons
7. Paint Brushes –For face painting & painting on paper
8. Shaving Cream (unscented): 6
9. Balloons - 1 bag large balloons (any color)
10. Balloon Balls with rubber band attached: 10 quantity
11. Paint: Assorted Colors (non-toxic/washable) finger paint Wal-Mart/Lakeshore/JJ Party House paint AA342 10 Assorted Colors (\$29.50)
12. Speedy Snow (DS484) 2-Lb. Bucket Speedy Snow -Lakeshore

Thank you,

Coach M. De La Garza/Coach D. Malone/Coach M. Guajardo
Special Education Dept.
Adapted Physical Education
Debra Salinas-Director of Special Education



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.L.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Vanessa Guzman, Administrative Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, on Border Trade Alliance (BTA) Silver Level Membership for \$10,000.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Border Trade Alliance Annual Silver Level Membership

Financial Consideration: \$10,000

Staff Recommendation: Approval for the annual Silver Level Membership.

Alternatives:

ROUTING:

Vanessa Guzman

Luis Bazan

Karla Moya

City Management Office

Created/Initiated - 09/01/2017

Approved - 09/01/2017

Approved - 09/01/2017

Final Approval - 09/01/2017

ANNUAL MEMBER LEVELS

For over 30 years, the BTA has been North America's premier advocate for cross-border trade. By becoming a member, your company or community will have the opportunity to shape public policy that encourages secure and efficient trade.

PREMIER PATRON—\$30,000 ANNUALLY

- One seat on the Board of Directors
 - ✓ Transferable to another individual in the organization
- One seat on Policy Advisory Committee
 - ✓ Prioritize BTA issues for approval by the Board of Directors
- Two VIP attendees to all BTA conferences and events
- Receive the President's weekly newsletter
- Participation in the President's Bi-Monthly Update Call
- Recognition as Premier Sponsor at BTA events and materials

GOLD PATRON—\$20,000 ANNUALLY

- One seat on the Board of Directors
 - ✓ Transferable to another individual in the organization
- One seat on Policy Advisory Committee
 - ✓ Prioritize BTA issues for approval by the Board of Directors
- One VIP attendee to all BTA conferences and events
- Receive the President's weekly newsletter
- Participation in the President's Bi-Monthly Update Call

SILVER PATRON—\$10,000 ANNUALLY

- One seat on the Board of Directors
 - ✓ Transferable to another individual in the organization
- One VIP attendee to all BTA conferences and events
- Receive the President's weekly newsletter

BRONZE PATRON—\$5,000 ANNUALLY

- If Patron is an individual, will receive one seat on the Board of Directors
- Receive the President's weekly newsletter

PATRON—\$2,500 ANNUALLY

- Receive the President's weekly newsletter

EDUCATIONAL/ACADEMIC PATRON—\$1,000 ANNUALLY (AVAILABLE TO ACADEMIC INSTITUTIONS ONLY)

- Attend the Board of Directors Meeting
 - ✓ Provide educational and academic information
- Receive the President's newsletter

FOR MORE INFORMATION, PLEASE CONTACT OUR BTA LEADERSHIP TEAM

Britton Clarke BrittonClarke@Clarke.Consulting
Direct Dial (202) 302-6225

Jim Mullen JMullen@JimMullenConsulting.com
Direct Dial (402) 651-5412



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.M.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Vanessa Guzman, Administrative Assistant

DEPARTMENT: Bridge

DIRECTOR: Luis Bazan

Agenda Item: Consideration and action, if any, on PSJA ISD Gala Sponsorship 2017 for \$2,500.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Agenda item for Bridge and PEDC to contribute \$2,500 each to sponsor the PSJA ISD Gala 2017.

Financial Consideration: \$2,500

Staff Recommendation: To approve item for sponsorship as requested by City Manager's office.

Alternatives:

ROUTING:

Vanessa Guzman

Luis Bazan

Karla Moya

City Management Office

Created/Initiated - 09/01/2017

Approved - 09/01/2017

Approved - 09/01/2017

Final Approval - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.N.

DATE SUBMITTED: August 24, 2017

MEETING DATE: September 5, 2017

FROM: Elva Edmundson, Administrative Assistant

DEPARTMENT: Parks/PAL

DIRECTOR: Sergio Alanis

Agenda Item: Consideration and action, if any, on request from Hidalgo County Elections Department for the use of Jose "Pepe" Salinas Memorial Civic Center and Las Milpas Community Center as Early Voting and Election Day County-wide polling locations for the upcoming November 7, 2017 General Election.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The Elections Department is requesting the usage of the City facilities for polling locations for the Constitutional Amendment from October 23, 2017-November 3, 2017, as well as election day on November 7, 2017.

Financial Consideration:

Staff Recommendation: City Commission approve this item.

Alternatives: n/a

ROUTING:

Elva Edmundson
Sergio Alanis
City Management Office

Created/Initiated - 08/24/2017
Approved - 09/01/2017
Final Approval - 09/01/2017



ELECTIONS DEPARTMENT
County of Hidalgo



Via facsimile

**Constitutional Amendment, City of Alamo, City of Donna, City of Edcouch,
City of Edinburg, City of La Joya, City of Progreso and
City of Weslaco Elections**

Early Voting and Election Day County-wide Request(s)

August 24, 2017

Las Milpas Comm. Center
Elva.edmunson@pharr.texas.gov

To: Frank Arroyo,

We are requesting the use of your facility(s) as an Early Voting and Election Day County-wide polling location(s) for the General Elections.

2017 Early Voting Dates and Hours:

Monday/ Lunes	Oct. 23, 2017	7:00 A.M. -- 7:00 P.M.
Tuesday/ Martes	Oct. 24, 2017	7:00 A.M. -- 7:00 P.M.
Wednesday/ Miércoles	Oct. 25, 2017	7:00 A.M. -- 7:00 P.M.
Thursday/ Jueves	Oct. 26, 2017	7:00 A.M. -- 7:00 P.M.
Friday/ Viernes	Oct. 27, 2017	7:00 A.M. -- 7:00 P.M.
Saturday/ Sabado	Oct. 28, 2017	7:00 A.M. -- 7:00 P.M.
Sunday/ Domingo	Oct. 29, 2017	10:00 A.M. -- 3:00 P.M.
Monday/ Lunes	Oct. 30, 2017	7:00 A.M. -- 7:00 P.M.
Tuesday/ Martes	Oct. 31, 2017	7:00 A.M. -- 7:00 P.M.
Wednesday/ Miércoles	Nov. 1, 2017	7:00 A.M. -- 7:00 P.M.
Thursday/ Jueves	Nov. 2, 2017	7:00 A.M. -- 7:00 P.M.
Friday/ Viernes	Nov. 3, 2017	7:00 A.M. -- 7:00 P.M.

2017 Election Day County-wide:

Tuesday/ Martes	Nov. 7, 2017	7:00 A.M. -- 7:00 P.M.
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Please complete the Polling Location(s) request form and fax the completed form to (956) 393-2039 as soon as possible.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Melissa Alvarez

Melissa Alvarez
Elections Operation Manager
(956) 318-2570 ext. 5709

Email: melissa.alvarez@co.hidalgo.tx.us

Register & Vote! Visit our website www.hgoco.net/elections



ELECTIONS DEPARTMENT
County of Hidalgo



Via facsimile

Constitutional Amendment, City of Alamo, City of Donna, City of Edcouch,
City of Edinburg, City of La Joya, City of Progreso and
City of Weslaco Elections

Early Voting and Election Day County-wide Request(s)

August 24, 2017

To: _____, Jose Pepe Salinas Ctr.
Fax # 702-5313

We are requesting the use of your facility(s) as an Early Voting and Election Day County-wide polling location(s) for the General Elections.

2017 Early Voting Dates and Hours:

Monday/ Lunes	Oct. 23, 2017	7:00 A.M. -- 7:00 P.M.
Tuesday/ Martes	Oct. 24, 2017	7:00 A.M. -- 7:00 P.M.
Wednesday/ Miércoles	Oct. 25, 2017	7:00 A.M. -- 7:00 P.M.
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Friday/ Viernes	Nov. 3, 2017	7:00 A.M. -- 7:00 P.M.

2017 Election Day County-wide:

Tuesday/ Martes	Nov. 7, 2017	7:00 A.M. -- 7:00 P.M.
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Please complete the Polling Location(s) request form and fax the completed form to (956) 393-2039 as soon as possible.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Melissa Alvarez

Melissa Alvarez
Elections Operation Manager
(956) 318-2570 ext. 5709

Email: melissa.alvarez@co.hidalgo.tx.us

Register & Vote! Visit our website www.hgoco.net/elections



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.O.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Development Services

DIRECTOR:

Agenda Item: Consideration and action, if any, on Development Services Cases:

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 08/29/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.O.1.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Iden I. Trevino, P.E., representing Rogelio A. Pruneda, owner is requesting a change of zone from a Single-Family Residential District (R-1) to a General Business District (C). The property is legally described as being a 0.45 acre tract of land, more or less, out of the South 264.0 feet of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 124 West Dicker Road.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Iden I. Trevino, P.E., representing Rogelio A. Pruneda, owner is requesting a change of zone from a Single-Family Residential District (R-1) to a General Business District (C) in order to construct an auto mechanic shop. COZ#170841

Financial Consideration: N/A

Staff Recommendation: Development Services is recommending approval of the request to re-zone to General Business District (C). If approved, the owner must comply with all City Ordinances, City Department requirements and must complete the subdivision process.

The Planning and Zoning Commission voted unanimously to approve the rezoning from

Single-Family Residential District (R-1) to General Business District (C) subject to staff's recommendations.

- Alternatives:** 1. Approve the rezoning request;
2. Table the item for a) consideration by the full board;
b) additional information;
c) additional time for applicant and adjacent property owners to meet.
3. Disapprove the request.

ROUTING:

Janie Benedict	Created/Initiated - 08/29/2017
Roland Gomez	Approved - 08/29/2017
Melanie Cano	Approved - 08/29/2017
City Management Office	Final Approval - 08/30/2017



Implementing your vision, improving your City

STANDARDIZED RECOMMENDATION FORM

MEETING DATE: September 05, 2017

ROUTE TO BOARD:

☒ **CITY COMMISSION**

AGENDA ITEM: COZ:#170841

☐ **PLANNING & ZONING COMMISSION**

DATE SUBMITTED: August 2, 2017

1. **Applicant:** Iden I. Trevino, P.E., representing Rogelio A. Pruneda, owner.
2. **Requested Action:** Re-zoning request for a Change of Zone from Single-Family Residential District (R-1) to a General Business District (C).
3. **Nature / Intent of Request:** In order to construct an auto mechanic shop.
4. **Routing to Staff:**

A. **Melanie Cano,
Director**

Handwritten initials in blue ink, appearing to be "MC".

Initials

8/24/2017 ☒ **Approval** ☐ **Denial**
Date

B. **Planning Staff
Recommendations**

Handwritten initials in blue ink, appearing to be "PS".

Initials

8/24/2017 ☒ **Approval** ☐ **Denial**
Date

C. **Planning and Zoning
Commission**

Initials

8/28/2017 ☒ **Approval** ☐ **Denial**
Date

D. **City Attorney**

Initials

 ☐ **Approval** ☐ **Denial**
Date

E. **City Manager**

Initials

 ☐ **Approval** ☐ **Denial**
Date

MEMORANDUM

DATE: SEPTEMBER 05, 2017

TO: MAYOR AND CITY COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Single-Family Residential District (R-1) to General Business District (C): Being a 0.45 acre tract of land, more or less, out of the South 264.0 feet of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 124 West Dicker Road. (COZ#170841)

REZONING CHECKLIST / GOALS:

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Idea I. Treviño, P.E., representing Rogelio A. Pruneda, owner, is requesting a change of zone from Single-Family Residential District (R-1) to a General Business District (C). The subject property is located on the north side of West Dicker Road, west of South Cage Boulevard and is physically located on 124 West Dicker Road. The property is legally described as being a 0.45 acre tract of land, more or less, out of the south 264.0 feet of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The subject property currently consists of one (1) track which has a frontage of approximately 75.0 feet along West Dicker Road and has a depth of approximately 264.0 feet. West Dicker Road is a 120'–150' principal arterial, which runs east and west with a posted speed limit of 40 to 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Single-Family Residential District (R-1). The surrounding properties are zoned Single-Family Residential District (R-1) to the south and west, Agricultural & Open Space District (A-O) to the north, and General Business District (C) to the east. The property is generally designated for commercial use in the Land Use Plan.

The property was originally annexed on December 16, 1986 as part of the extension of the city limit boundaries to the City of Pharr. The property to the east was rezoned to General Business District (C) on September 06, 2011. There has been no other zoning request within the general vicinity of the subject property since that time.

The owner is currently in the subdivision process of said property. The request for a change of zone to General Business District (C) is in order to construct an auto mechanic shop.

Fourteen (14) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Development Services is recommending **approval** of the request to re-zone to General Business District (C) as the property meets area requirements, has adequate ingress and egress. If approved, the owner must comply with all City Ordinances, City Department requirements and must complete the subdivision process

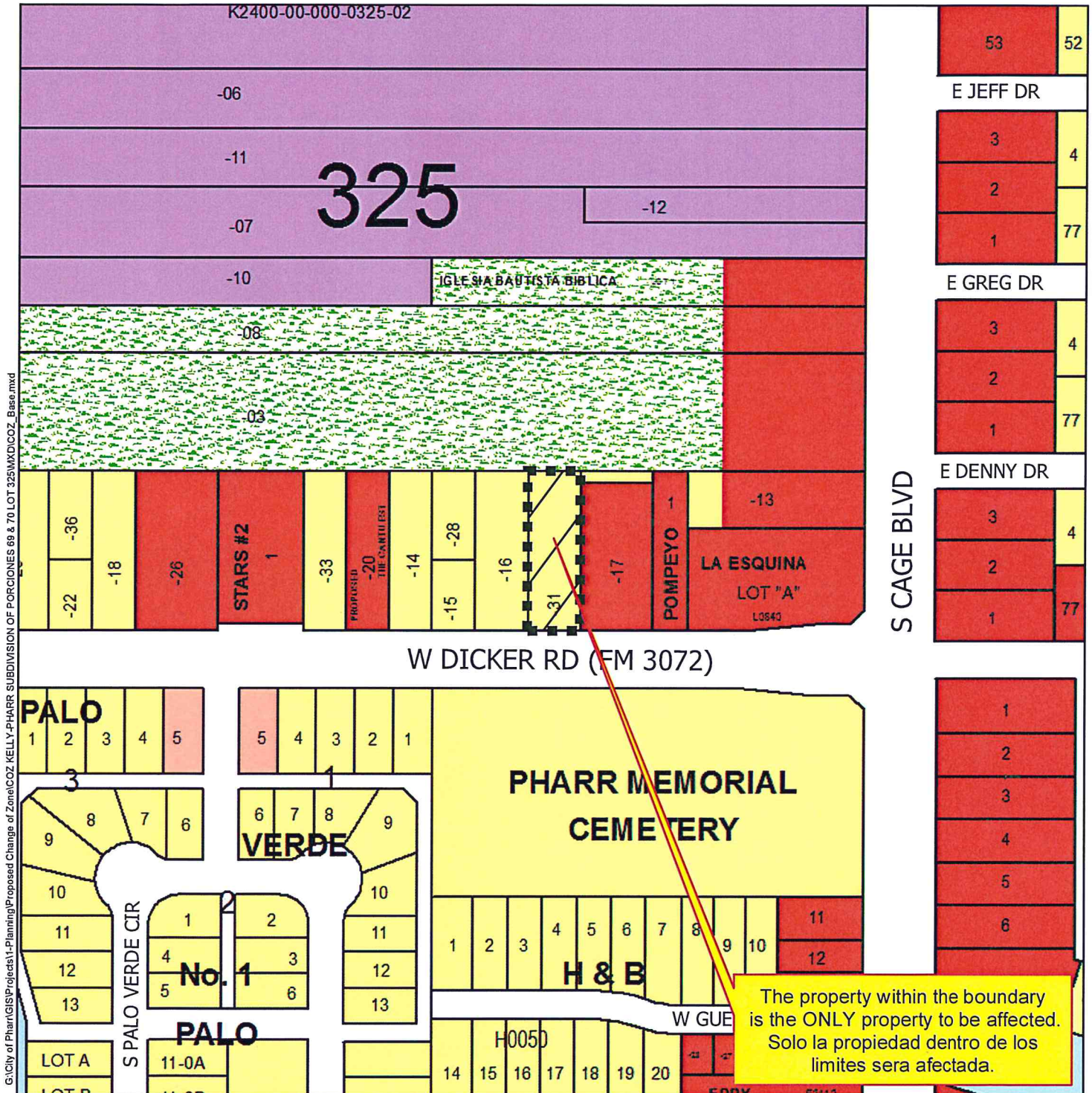
PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission voted unanimously to approve the rezoning from Single-Family Residential District (R-1) to General Business District (C) subject to staff's recommendations.

CITY COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**

Proposed Change of Zone
 .0454 Ac of Kelly-Pharr Subdivision of porciones 69 & 70
 Iden I Trevino, P.E/ Rogelio A Pruneda



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

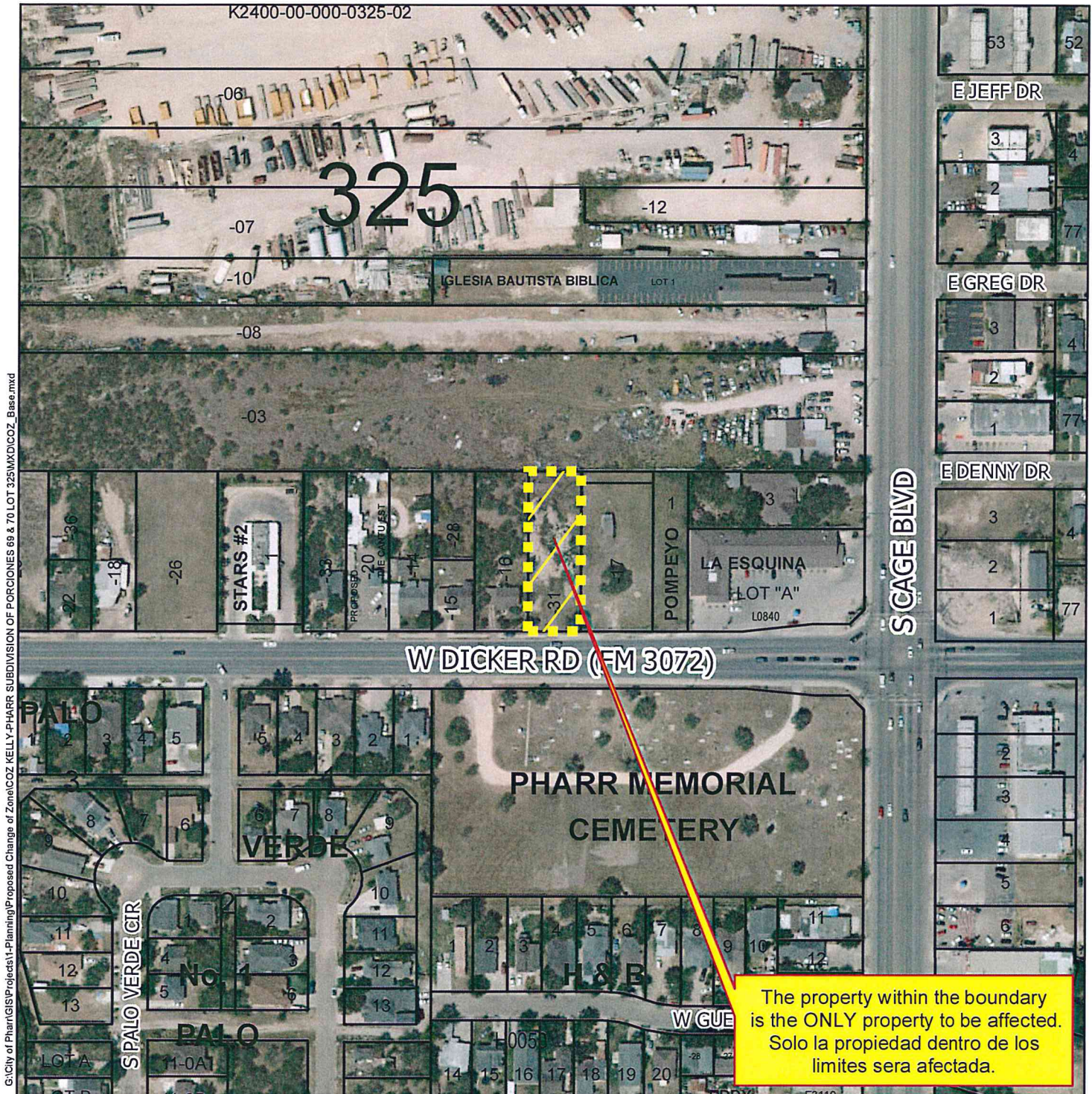
City of Pharr, Texas
 Engineering Department
 956.702.5355

Scale: 1 inch = 200 feet



Date: 8/7/2017

Proposed Change of Zone
 .0454 Ac of Kelly-Pharr Subdivision of porciones 69 & 70
 Iden I Trevino, P.E/ Rogelio A Pruneda

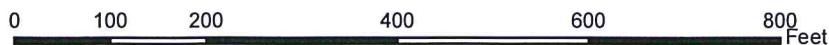


The property within the boundary is the ONLY property to be affected.
 Solo la propiedad dentro de los limites sera afectada.

- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

City of Pharr, Texas
 Engineering Department
 956.702.5355

Scale: 1 inch = 200 feet



Date: 8/7/2017

S81°35'00"E
75.00'



ADDITIONAL PAVED PARKING
FOR MECHANIC SHOP
VEHICLES BEING REPAIRED














































































































































































































































































































AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.O.2.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lot A, Providence Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6400 South Cage Boulevard, Suites A & B.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). CUP#110757

Financial Consideration:

Staff Recommendation: Development Services is recommending approval of the request for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.

Alternatives: N/A

ROUTING:

Janie Benedict

Created/Initiated - 08/29/2017

Roland Gomez

Approved - 08/29/2017

Melanie Cano

Approved - 08/29/2017

City Management Office

Final Approval - 08/30/2017



MAYOR Ambrosio "Amos" Hernández | CITY MANAGER Juan G. Guerra, CPA

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero | Daniel Chavez | Ricardo Medina | Mario Bracamontes

Executive Summary Letter

September 5, 2017

Conditional Use Permit **Renewal** for ABC –

Villa del Mar Restaurant
CUP#110757

Background:

Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 6th renewal for Villa del Mar Restaurant.

The property is located at 6400 South Cage Boulevard, Suites A & B. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.

Microsoft Word: PharrCPD on Cpdserver\Admin\MyFiles\CUPs\Renewal- VilladelMarRestaurant_VIGA_Villarreal

MEMORANDUM

DATE: SEPTEMBER 5, 2017

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: JUAN GUERRA, CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT RENEWAL FOR ABC – FILE NO. CUP#110757 (VILLA DEL MAR RESTAURANT)
--

GENERAL INFORMATION:

APPLICANT: Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: Being Lot A, Providence Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 6400 South Cage Boulevard, Suites A & B.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, east and south, Single-Family Residential District (R-1) to the north and Medium Density Multi-Family Residential District (R-3) to the west. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS:	CODE COMPLIANCE:	Recommends approval of the Conditional Use Permit. (See attached memo)
------------------	-------------------------	--

FIRE MARSHAL:	Recommends approval of the Conditional Use Permit. (See attached memo)
----------------------	--

POLICE CHIEF:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

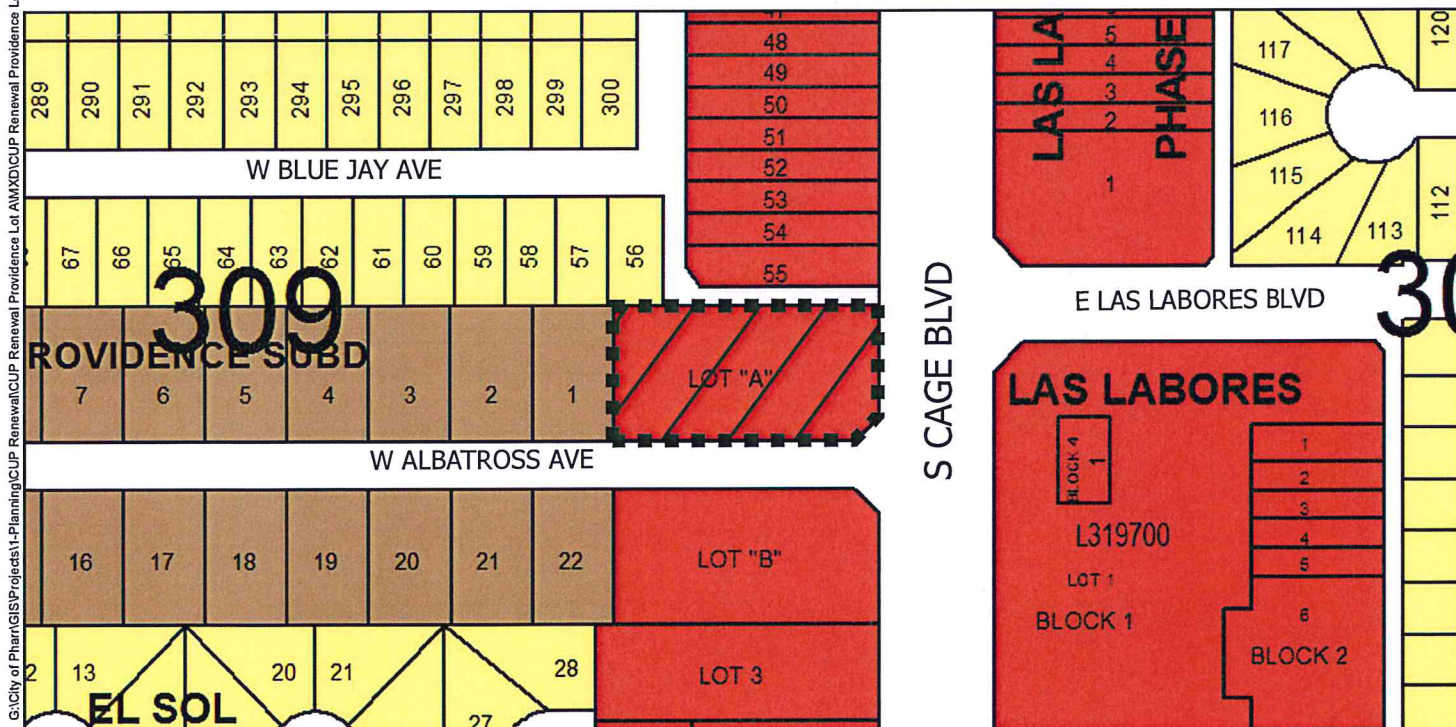
PLANNING DEPT.:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

**DEVELOPMENT
SERVICES**

RECOMMENDATIONS:

Development Services is recommending **approval** of the request for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |



**Certificate of Occupancy
Conditional Use Permit
Inspection Form**

Company Name or Business Entity: VILLA DEL MAR Type of Business: RESTAURANT
Applicant: Angel Maria VILLANUEVA Phone No.: 956 783-3544
(First) (Middle) (Last)
Mailing Address: 6200 S. CAGE A-1-B PEDANA TX 78577
(Address) (City) (State) (Zip)

EXISTING BUILDING	☒ YES	☐ NO	
MIXED OCCUPANCY	☒ YES	☐ NO	IF YES, TYPE OF ADJACENT OCCUPANCY(S): <u>VIDEO STORE</u>
CHANGE OF OCCUPANCY FROM PREVIOUS?	☐ YES	☒ NO	IF YES, PREVIOUS TYPE OF OCCUPANCY(S):
IS FIRE PROTECTION REQUIRED?	☒ YES	☐ NO	IF SO, WHAT TYPE?
IS CHANGE OF WALL ASSEMBLY REQUIRED?	☒ YES	☐ NO	IF SO, WHAT TYPE?

PASSED WITH CONDITIONS ☐ PASSED ☒ FAILED ☐ RE-INSPECTION DATE:

BUILDING STATUS/STRUCTURAL	PASS	FAIL	N/A	COMMENTS
1. FLOOR	///			
2. EXTERIOR WALLS	///			
3. INTERIOR WALLS	///			
4. CEILING	///			
5. ROOF	///			
6. PREMISE (LANDSCAPING, CLEAN, EXT...)	///			
7. GARBAGE CONTAINER	///			
8. IS ADDRESS POSTED AND CORRECT?	///			
9. IS LANDSCAPING IN COMPLIANCE?	///			
MEANS OF EGRESS	PASS	FAIL	N/A	COMMENTS
1. OCCUPANT LOAD (IF APPLICABLE)	///			
3. NUMBER OF EXITS	///			
4. MEANS OF EGRESS LIGHTING	///			
5. EXIT SIGNS	///			
6. DOOR HARDWARE	///			
ACCESSIBILITY	PASS	FAIL	N/A	COMMENTS
1. RESTROOMS	///			
2. PATH OF EGRESS	///			
3. RAMPS (HANDRAIL / GUARDS)	///			
4. DOORS	///			
5. IS OCCUPANCY CHANGED (ADA COMPLIANT)	///			
ELECTRICAL	PASS	FAIL	N/A	COMMENTS
1. SERVICE ENTRANCE	///			
2. SERVICE EQUIPMENT	///			
3. WIRING SYSTEM	///			
4. LIGHT FIXTURE	///			
5. RECEPTACLE OUTLETS (G.F.C.I. WHERE REQUIRED)	///			
MECHANICAL	PASS	FAIL	N/A	COMMENTS
1. REGISTERS	///			
2. GRILLS	///			
3. DRAINS	///			
4. EQUIPMENT	///			
PLUMBING	PASS	FAIL	N/A	COMMENTS
1. P. TRAPS	///			
2. VENTS	///			
3. DRAINS	///			
4. PLUMBING FIXTURES	///			
5. WATER SERVICE LINE	///			
6. DISTRIBUTION LINES	///			
8. BACKFLOW PREVENTION	///			
9. GAS SYSTEM <u>16000 BTU</u>	///			
10. GREASE TRAP	///			
WATER/HEATER	PASS	FAIL	N/A	COMMENTS
1. LOCATION <u>11100E</u>	///			
2. T.P. VALVE & DRAIN	///			
3. SHUT-OFF VALVE	///			
4. VENT (IF APPLICABLE)	///			

BUILDING / SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:

AT TIME OF INSPECTION, PREMISE
WAS FOUND TO BE IN REASONABLE COMPLIANCE WITH
BUILDING CODES

[Signature] 8-14-17
(INSPECTOR / OFFICER) (Date)

[Signature] 8/14/17
(RECEIVED BY) (Date)



Prevention Division
118 S. Cage Blvd., 3rd Fl
Pharr, Texas 78577
Ph: 956-402-4400
Fax: 956-475-3433
fireprevention@pharrfd.net

August 23, 2017

VILLA DEL MAR
6400 S CAGE BLVD, SUITE A & B
PHARR, TX 78577

INSPECTION STATUS - PASSED

An inspection of your facility on Aug 23, 2017 revealed no violations.

Inspection Note This inspection record was automatically created by the system in response to a reinspection request from ManageMyInspections.com.

Exit sign will be installed south west exit within one week.

1525 DAGOBERTO SOTO
Inspector

Heriberto Villarreal

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

AUG 22 2017

BY: _____



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 402-4700 • FAX: (956) 781-9163



To: Melanie Cano, Director City Planning
From: Joel Robles, Asst. Chief of Police
Date: 08/07/2017
Re: Conditional use Permit Renewal for ABC – File No. CUP#110757 (Villa del Mar Restaurant)

Angel Villareal () and Maria C. Villareal () representing VIGA Restaurants, Inc. d/b/a/ Villa del Mar Restaurant, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The Property is legally described as follows:

- **Legal Description:** Lot A, Providence Subdivision, Pharr, Hidalgo County, Texas
- **Physical Address:** 6400 S. Cage Blvd. Suites A&B
- **Contact Number:**

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Ms. Cano, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Asst. Chief of Police

Joel Robles

Office: 956-402-4739

Mobile: 956-878-3233

joel.robles@pd.pharr-tx.gov

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

AUG 07 2017

BY:



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.O.3.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Red Robin Restaurant is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lot 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 409 South Jackson Road.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Red Robin Restaurant is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). CUP#030747

Financial Consideration: N/A

Staff Recommendation: Development Services is recommending approval of the request for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.

Alternatives: N/A

ROUTING:

Janie Benedict

Roland Gomez

Melanie Cano

City Management Office

Created/Initiated - 08/29/2017

Approved - 08/29/2017

Approved - 08/29/2017

Final Approval - 08/30/2017



MAYOR Ambrosio "Amos" Hernández | CITY MANAGER Juan G. Guerra, CPA

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero | Daniel Chavez | Ricardo Medina | Mario Bracamontes

Executive Summary Letter

September 5, 2017

Conditional Use Permit **Renewal** for ABC –

Red Robin Restaurant
CUP#030747

Background:

Red Robin Restaurant is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 14th renewal for Red Robin Restaurant.

The property's physical address is 409 South Jackson Road. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.

P:\Admin\MY FILES\CUPS\ABC\ABC_Red Robin_2003

MEMORANDUM

DATE: SEPTEMBER 05, 2017

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: JUAN GUERRA, CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT RENEWAL FOR ABC – FILE NO. CUP#030747 (RED ROBIN RESTAURANT)
--

GENERAL INFORMATION:

APPLICANT: Red Robin Restaurant is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as Lot 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 409 South Jackson Road.

ZONING: The property is currently zoned as General Business District (C). The surrounding property is zoned General Business District (C) to the north, south and east and city limits lie to the west. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS:	CODE COMPLINACE:	Recommends approval of the Conditional Use Permit. (See attached memo)
------------------	-------------------------	--

FIRE MARSHAL:	Recommends approval of the Conditional Use Permit. (See attached memo)
----------------------	--

POLICE CHIEF:

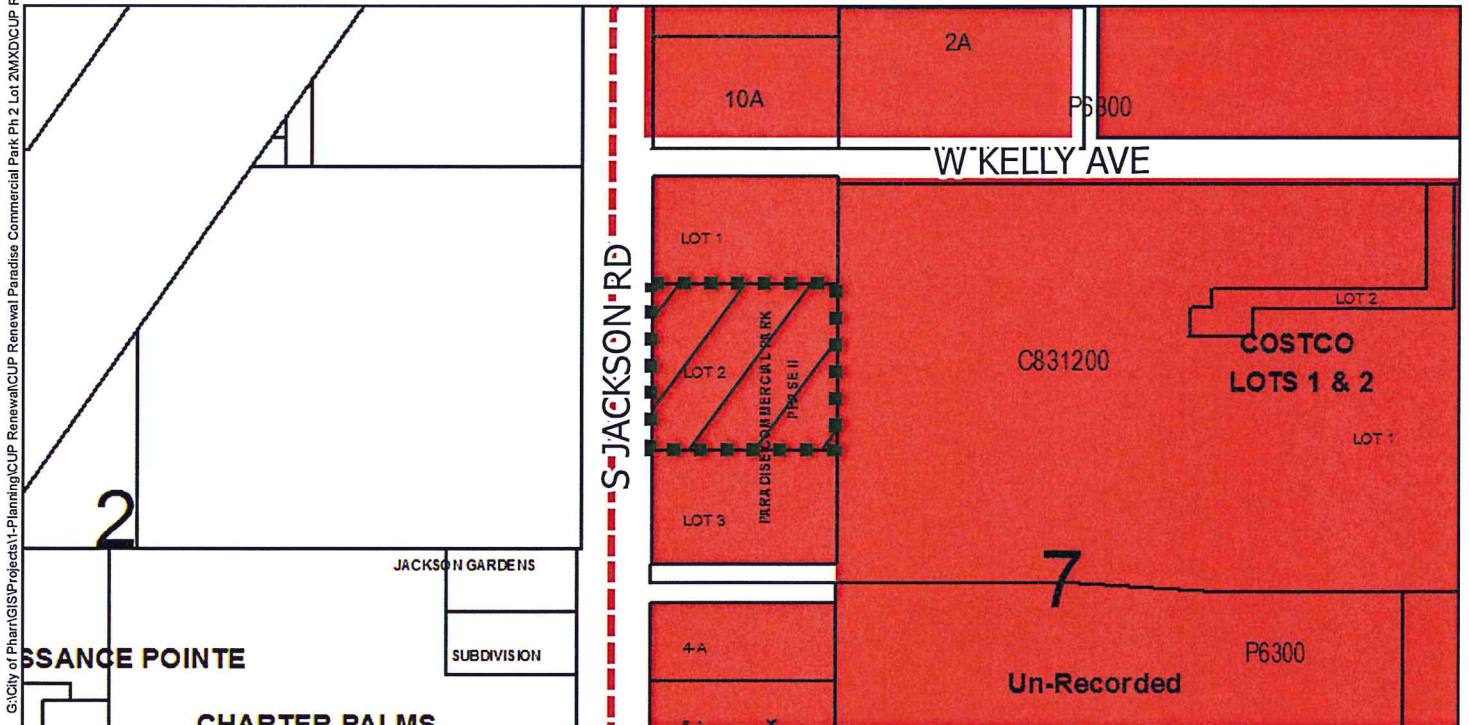
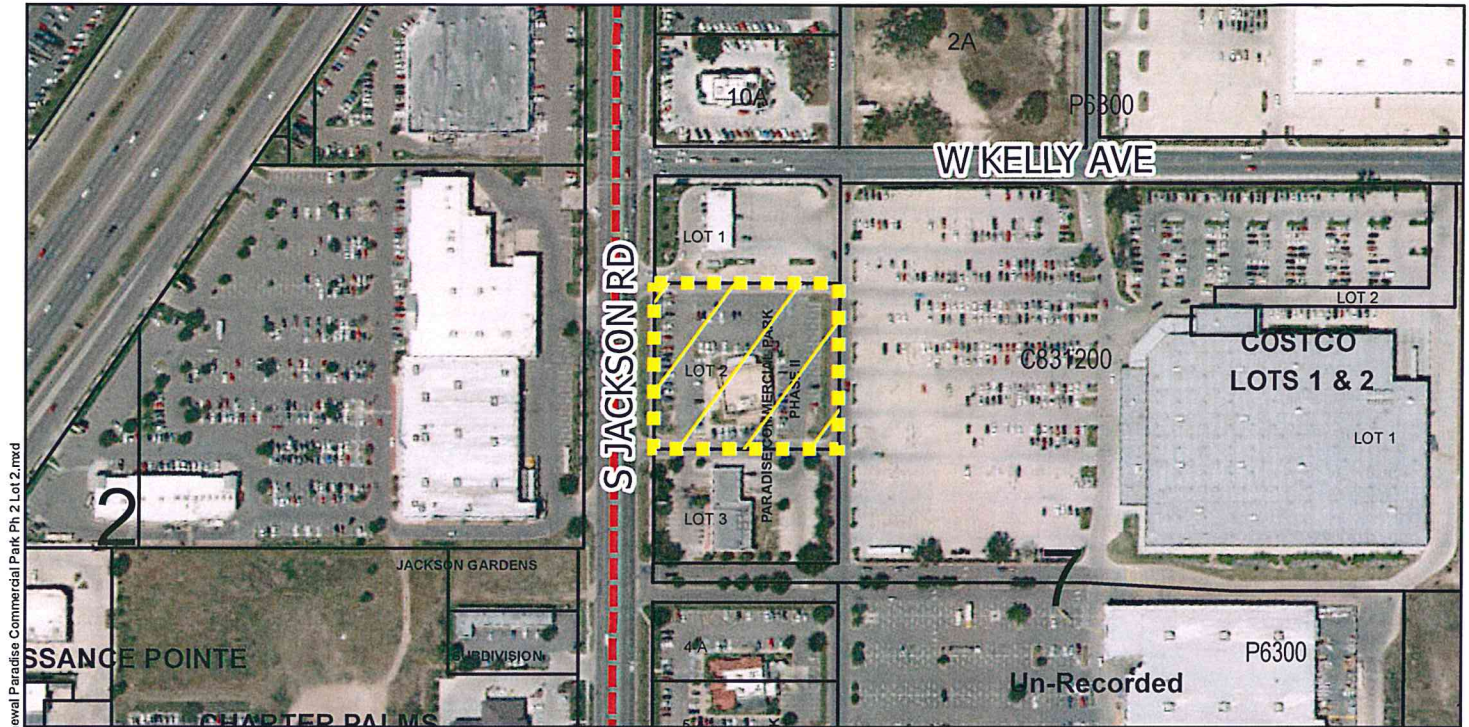
Recommends approval of
the Conditional Use Permit.
(See attached memo)

**PLANNING
DEPARTMENT:**

Recommends approval of
the Conditional Use Permit.
(See attached memo)e

**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

Development Services is recommending **approval** of the request for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption General Business District (C) subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.



Agricultural Open Space	High Density Multi-Family	Government Owned	Heavy Industrial	Hidalgo ISD
Single Family	Mobile Home	General Business	Limited Industrial	Valley View ISD
Single Family Small Lot	Townhouse	Business District	Neighborhood Commercial	Planned Unit Development
Two Family	HUD Code	Drainage Easement	Office Professional	
Medium Density Multi-Family	Rail Road R.O.W.	Heavy Commercial	PSJA ISD	



Company Name or Business Entity: Red Robin Type of Business: Restaurant
Applicant: David E. Pena Phone No.: _____
(First) (Middle) (Last)
Mailing Address: 409 S. Jackson Rd Pharr Tx 78577
(Address) (City) (State) (Zip)

EXISTING BUILDING	☒ YES	☐ NO	
MIXED OCCUPANCY	☐ YES	☒ NO	IF YES, TYPE OF ADJACENT OCCUPANCY(S):
CHANGE OF OCCUPANCY FROM PREVIOUS?	☐ YES	☒ NO	IF YES, PREVIOUS TYPE OF OCCUPANCY(S):
IS FIRE PROTECTION REQUIRED?	☐ YES	☒ NO	IF SO, WHAT TYPE?
IS CHANGE OF WALL ASSEMBLY REQUIRED?	☐ YES	☒ NO	IF SO, WHAT TYPE?

PASSED WITH CONDITIONS ☐ PASSED ☒ FAILED ☐ RE-INSPECTION DATE: _____

BUILDING STATUS/ STRUCTURAL	PASS	FAIL	N/A	COMMENTS
1. FLOOR	☒	☐	☐	
2. EXTERIOR WALLS	☒	☐	☐	
3. INTERIOR WALLS	☒	☐	☐	
4. CEILING	☒	☐	☐	
5. ROOF	☒	☐	☐	
6. PREMISE (LANDSCAPING, CLEAN, EXT...)	☒	☐	☐	
7. GARBAGE CONTAINER	☒	☐	☐	
8. IS ADDRESS POSTED AND CORRECT?	☒	☐	☐	
9. IS LANDSCAPING IN COMPLIANCE?	☒	☐	☐	
MEANS OF EGRESS	PASS	FAIL	N/A	COMMENTS
1. OCCUPANT LOAD (IF APPLICABLE)	☒	☐	☐	
3. NUMBER OF EXITS	☒	☐	☐	3
4. MEANS OF EGRESS LIGHTING	☒	☐	☐	
5. EXIT SIGNS	☒	☐	☐	
6. DOOR HARDWARE	☒	☐	☐	
ACCESSIBILITY	PASS	FAIL	N/A	COMMENTS
1. RESTROOMS	☒	☐	☐	
2. PATH OF EGRESS	☒	☐	☐	
3. RAMPS (HANDRAIL / GUARDS)	☒	☐	☐	
4. DOORS	☒	☐	☐	
5. IS OCCUPANCY CHANGED (ADA COMPLIANT)	☒	☐	☐	
ELECTRICAL	PASS	FAIL	N/A	COMMENTS
1. SERVICE ENTRANCE	☒	☐	☐	
2. SERVICE EQUIPMENT	☒	☐	☐	
3. WIRING SYSTEM	☒	☐	☐	
4. LIGHT FIXTURE	☒	☐	☐	
5. RECEPTACLE OUTLETS (G.F.C.I. WHERE REQUIRED)	☒	☐	☐	
MECHANICAL	PASS	FAIL	N/A	COMMENTS
1. REGISTERS	☒	☐	☐	
2. GRILLS	☒	☐	☐	
3. DRAINS	☒	☐	☐	
4. EQUIPMENT	☒	☐	☐	
PLUMBING	PASS	FAIL	N/A	COMMENTS
1. P. TRAPS	☒	☐	☐	
2. VENTS	☒	☐	☐	
3. DRAINS	☒	☐	☐	
4. PLUMBING FIXTURES	☒	☐	☐	
5. WATER SERVICE LINE	☒	☐	☐	
6. DISTRIBUTION LINES	☒	☐	☐	
8. BACKFLOW PREVENTION	☒	☐	☐	
9. GAS SYSTEM	☒	☐	☐	
10. GREASE TRAP	☒	☐	☐	
WATER HEATER	PASS	FAIL	N/A	COMMENTS
1. LOCATION	☒	☐	☐	
2. T.P. VALVE & DRAIN	☒	☐	☐	
3. SHUT-OFF VALVE	☒	☐	☐	
4. VENT (IF APPLICABLE)	☒	☐	☐	

BUILDING / SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:

Michael Bozaldina 8/9/17
(INSPECTOR / OFFICER) (Date)

Amador 8-9-17
(RECEIVED BY) (Date)



Prevention Division
118 S. Cage Blvd., 3rd Fl
Pharr, Texas 78577
Ph: 956-402-4400
Fax: 956-475-3433
fireprevention@pharrfd.net

August 14, 2017

RED ROBIN
409 S JACKSON RD
PHARR, TX 78577

INSPECTION STATUS - PASSED

An inspection of your facility on Aug 14, 2017 revealed no violations.

Inspection Note This inspection record was automatically created by the system in response to a reinspection request from ManageMyInspections.com.

Emergency lights are pending till parts arrive for kitchen area.

1525 DAGOBERTO SOTO
Inspector

Alex Sandoval

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

AUG 15 2017

BY: 



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 402-4700 • FAX: (956) 781-9163



To: Melanie Cano, Director City Planning
From: Joel Robles, Asst. Chief of Police
Date: 08/07/2017
Re: Conditional use Permit Renewal for ABC – File No. CUP#030747 (Red Robin)

David E. Pena, Director of Administration for Red Robin Restaurant, on behalf of Fernando Manuel Villegas, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The Property is legally described as follows:

- **Legal Description:** Lot 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas
- **Physical Address:** 409 S. Jackson Rd.
- **Contact Number:**

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Ms. Cano, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Asst. Chief of Police

Joel Robles
Office: 956-402-4739
Mobile: 956-878-3233
joel.robles@pd.pharr-tx.gov

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

AUG 07 2017

BY: 



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.O.4.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR:

Agenda Item: R.G.V. & Associates / Laura L. Garza, d/b/a George's Dance Hall, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6801 South Jackson Road.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: R.G.V. & Associates / Laura L. Garza, d/b/a George's Dance Hall, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). CUP#120529

Financial Consideration: N/A

Staff Recommendation: Development Services is recommending approval of the request for renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) provided that the site and applicant is in compliance with all City Ordinances and all City Departments requirements.

Alternatives: N/A

ROUTING:

Janie Benedict

Created/Initiated - 08/29/2017

Roland Gomez

Approved - 08/29/2017

Melanie Cano

Approved - 08/29/2017

City Management Office

Final Approval - 08/30/2017



MAYOR Ambrosio "Amos" Hernández | CITY MANAGER Juan G. Guerra, CPA

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero | Daniel Chavez | Ricardo Medina | Mario Bracamontes

Executive Summary Letter

September 05, 2017

Conditional Use Permit **Renewal** for ABC –

George's Dance Hall
CUP#120529

Background:

R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance Hall, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 5th renewal for George's Dance Hall.

The property is located at 6801 South Jackson Road. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the request for renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption subject to the site and applicant being in compliance with all City Ordinances and City Department requirements.

P:\Admin\MY FILES\CUPS\ABC\ABC_GEORGE'S DANCE HALL_L GARZA_2012

MEMORANDUM

DATE: MONDAY, SEPTEMBER 05, 2017

TO: MAYOR AND CITY COMMISSION

THROUGH: JUAN GUERRA, CITY MANAGER

FROM: MELANIE CANO, DIRECTOR OF DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT & LATE HOURS PERMIT RENEWAL FOR ABC - FILE NO. CUP#120529 (GEORGE'S DANCE HALL)

GENERAL INFORMATION:

APPLICANT: R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance Hall, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 6801 South Jackson Road.

ZONING: The property is currently zoned General Business District (C). The adjacent zoning is General Business District (C) to the north and south, Single-Family Residential District (R-1) to the east and Pharr City Limit lies to the west. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS:	CODE ENFORCEMENT	Recommends approval of the Conditional Use Permit. (See attached memo)
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FIRE MARSHAL:	Recommends approval of the Conditional Use Permit. (See attached memo)
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POLICE CHIEF:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

PLANNING DEPT.:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

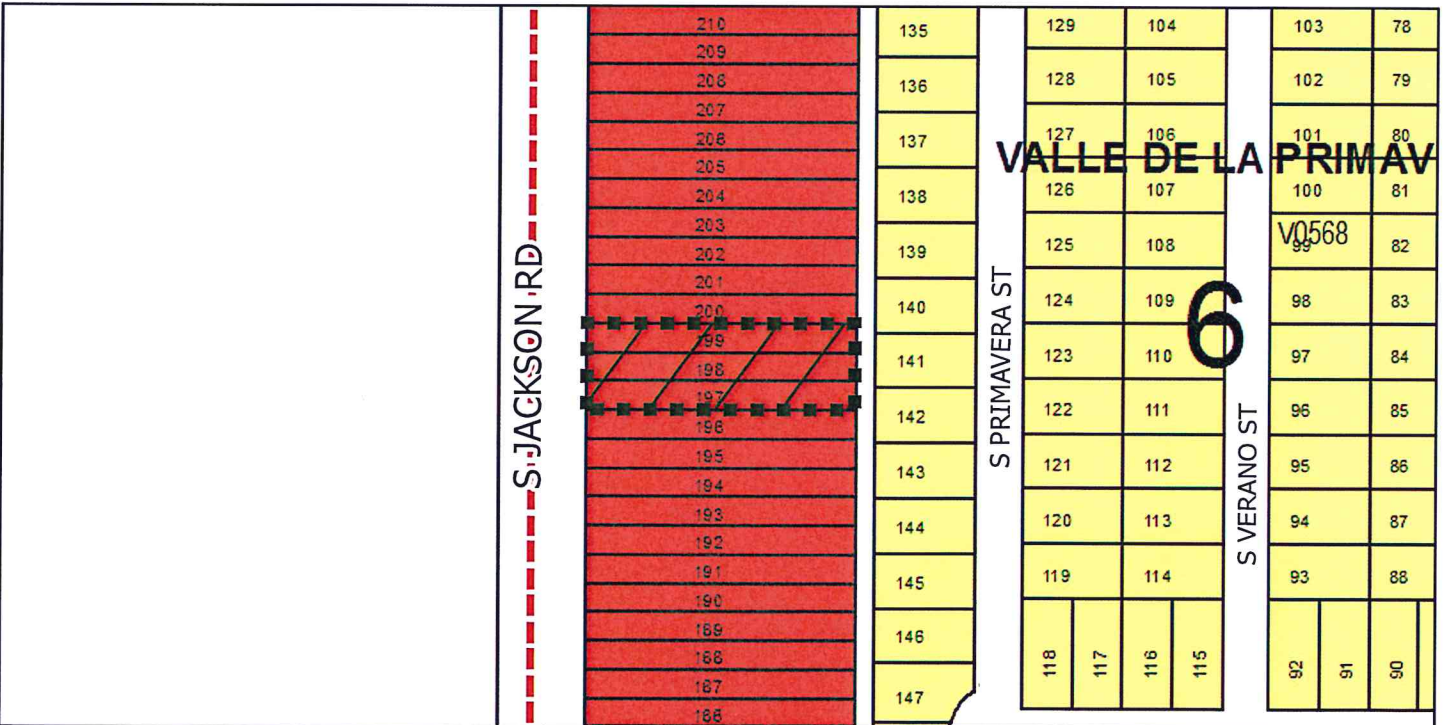
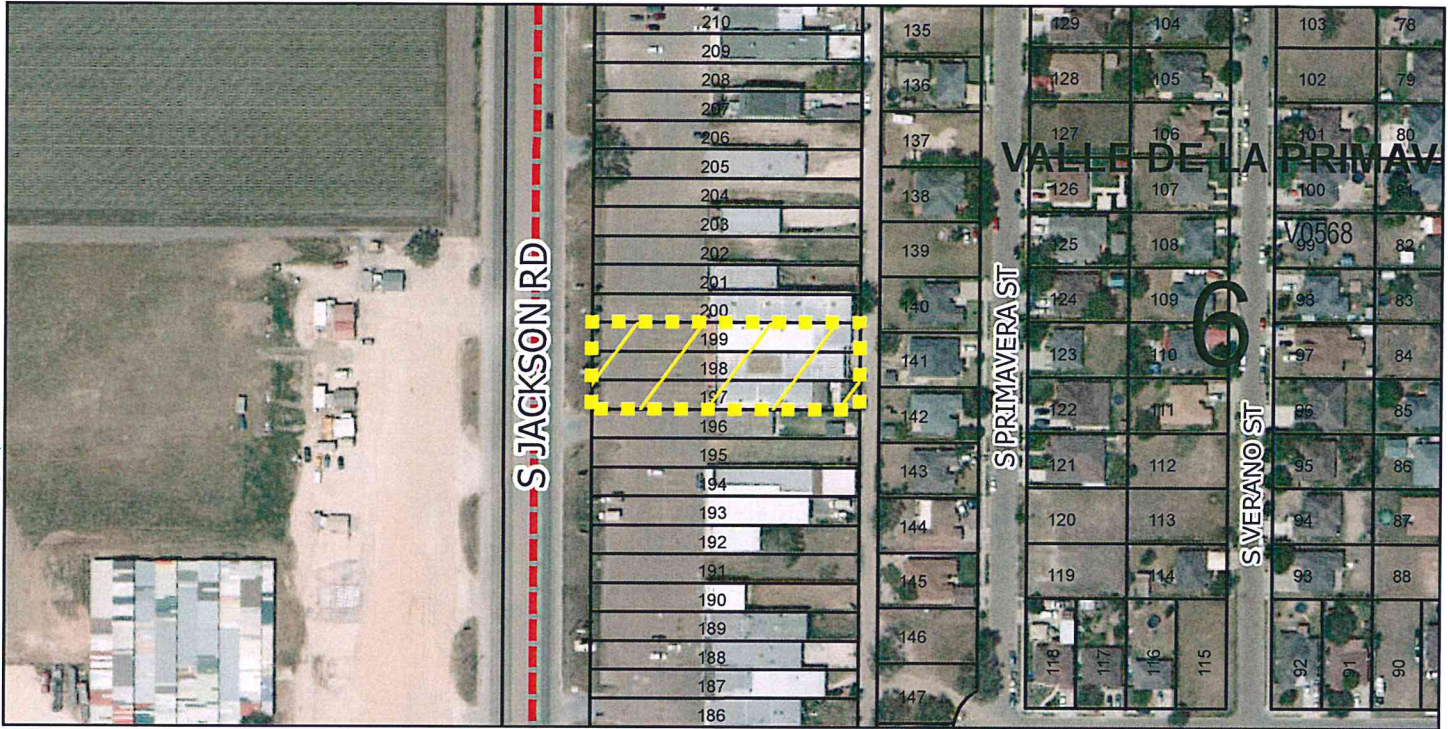
**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

Development Services is recommending **approval** of the request for renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) provided that the site and applicant is in compliance with all City Ordinances and all City Departments requirements.

Conditional Use Permit Renewal
Valle De La Primavera Lots 197, 198, 199
George's Dance Hall/ RGV & Associates



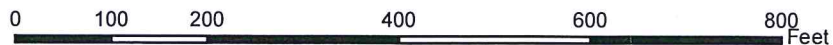
G:\City of Pharr\GIS\Projects\1-Planning\CUP Renewal\Valle De La Primavera Lots 197, 198, 199\MXD\CUP Renewal Valle De La Primavera Lots 197, 198, 199.mxd



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

City of Pharr, Texas
Engineering Department
956.702.5355

Scale: 1 inch = 200 feet



Date: 6/16/2017

Company Name or Business Entity: Georges Dance Hall Type of Business: _____

Applicant: _____ (First) _____ (Middle) _____ (Last) Phone No.: _____

Mailing Address: 6801 S. JACKSON Pharr Tx. 78577
(Address) (City) (State) (Zip)

EXISTING BUILDING	☒ YES	☐ NO	
MIXED OCCUPANCY	☐ YES	☒ NO	IF YES, TYPE OF ADJACENT OCCUPANCY(S):
CHANGE OF OCCUPANCY FROM PREVIOUS?	☐ YES	☒ NO	IF YES, PREVIOUS TYPE OF OCCUPANCY(S):
IS FIRE PROTECTION REQUIRED?	☒ YES	☐ NO	IF SO, WHAT TYPE?
IS CHANGE OF WALL ASSEMBLY REQUIRED?	☐ YES	☐ NO	IF SO, WHAT TYPE?

PASSED WITH CONDITIONS ☒	PASSED ☐	FAILED ☐	RE-INSPECTION DATE: _____
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BUILDING STATUS/ STRUCTURAL	PASS	FAIL	N/A	COMMENTS
1. FLOOR	☒			
2. EXTERIOR WALLS	☒			
3. INTERIOR WALLS	☒			
4. CEILING	☒			
5. ROOF	☒			
6. PREMISE (LANDSCAPING, CLEAN, EXT...)	☒			
7. GARBAGE CONTAINER	☒			
8. IS ADDRESS POSTED AND CORRECT?	☒			
9. IS LANDSCAPING IN COMPLIANCE?	☒			
MEANS OF EGRESS	PASS	FAIL	N/A	COMMENTS
1. OCCUPANT LOAD (IF APPLICABLE)	☒			
3. NUMBER OF EXITS	☒			
4. MEANS OF EGRESS LIGHTING	☒			
5. EXIT SIGNS	☒			
6. DOOR HARDWARE	☒			
ACCESSIBILITY	PASS	FAIL	N/A	COMMENTS
1. RESTROOMS	☒			
2. PATH OF EGRESS	☒			
3. RAMPS (HANDRAIL / GUARDS)	☒			
4. DOORS	☒			
5. IS OCCUPANCY CHANGED (ADA COMPLIANT)	☒			
ELECTRICAL	PASS	FAIL	N/A	COMMENTS
1. SERVICE ENTRANCE	☒			
2. SERVICE EQUIPMENT	☒			
3. WIRING SYSTEM	☒			
4. LIGHT FIXTURE	☒			
5. RECEPTACLE OUTLETS (G.F.C.I. WHERE REQUIRED)	☒			
MECHANICAL	PASS	FAIL	N/A	COMMENTS
1. REGISTERS	☒			
2. GRILLS	☒			
3. DRAINS	☒			
4. EQUIPMENT	☒			
PLUMBING	PASS	FAIL	N/A	COMMENTS
1. P. TRAPS	☒			
2. VENTS	☒			
3. DRAINS	☒			
4. PLUMBING FIXTURES	☒			
5. WATER SERVICE LINE	☒			
6. DISTRIBUTION LINES	☒			
8. BACKFLOW PREVENTION	☒			
9. GAS SYSTEM	☒			
10. GREASE TRAP	☒			
WATER HEATER	PASS	FAIL	N/A	COMMENTS
1. LOCATION	☒			
2. T.P. VALVE & DRAIN	☒			
3. SHUT-OFF VALVE	☒			
4. VENT (IF APPLICABLE)	☒			

BUILDING / SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:

Passed w/ conditions due to structure
still needing correct
fire protection.

B. BANDER 7-20-17
(INSPECTOR / OFFICER) (Date)

Juan Castillo 7-20-17
(RECEIVED BY) (Date)

Please note: Owner / Applicant is responsible to contact the City of Pharr Department of Development Services at (356) 402-4242 when improvements have been completed. Any permits with regard to this location will remain on hold until full compliance is met.

Juan Castillo



Prevention Division

118 S. Cage Blvd., FI
Pharr, TX 78577
(956) 402-4400
fireprevention@fd.pharr-tx.gov

Jacob Salinas
Fire Marshal

Felipe Pedraza
Asst. Fire Marshal

Dago Soto
Asst. Fire Marshal

Eduardo Lugo
Fire Inspector

Martin Torres
Fire Inspector

Jose M. Navarro
Fire Investigator

Lionel Lopez
Fire Investigator

08/16/2017

GEORGE'S DANCEHALL
6801 S JACKSON RD
PHARR, TX 78577

Occupancy ID: 30238

At the time of inspection, the premises located at 6801 S JACKSON RD were found to be in reasonable compliance with the adopted City of Pharr Ordinance No. 0-2010-48 (International Fire Code 2012).

THIS CUP INSPECTION REPORT IS BEING APPROVED WITH THE CONDITION ALL THE IFC AND IBC REQUIREMENT ARE TO BE MEET WITHIN A SIX MONTH PERIOD WHICH INCLUDE THE EXTENSION OF THE FIRE PROTECTION SYSTEM TO THE NEW ADDITION THAT WERE DONE TO EAST SIDE OF THE BUILDING. FAILURE TO COMPLY WILL LEAD TO THE REVOCATION OF THE CUP.

Thank you for your cooperation.


PEDRAZA, FELIPE

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

AUG 16 2017

BY: 

STATE OF TEXAS

HIDALGO COUNTY

AFFIDAVIT

PHARR FIRE PREVENTION
RECEIVED

AUG 16 2017

SIGNATURE REQUIRED

13.57

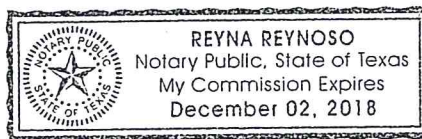
BEFORE ME NOTARY PUBLIC FOR THE STATE OF TEXAS AND
HIDALGO COUNTY ON THIS 15TH DAY OF AUGUST 2017
PERSONALLY APPEARS THE UNDERSIGNED, GEORGE ALBERTO
GARZA BEING DULY SWORN HEREBY DEPOSES AND SAYS:

I, GEORGE ALBERTO GARZA, owner of George's Dance Hall located on 6801 S Jackson Road in Pharr, Texas 78577 do declare by means of the present affidavit that the Pharr Fire Department has required a fire sprinkler system be extended into the new additions of the kitchen and storage areas of my property to be in compliance with International Fire Code and Building Official requirements. I was given a deadline of six months from today to make the needed changes. I agree with the deadline and look forward to working with the fire department to get the building into compliance.

I declare that to the best of my knowledge and belief the information herein is true, correct, and complete.

THANK YOU,

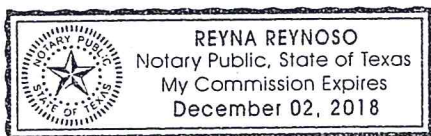

GEORGE ALBERTO GARZA

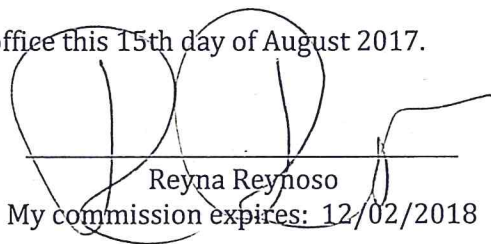


CERTIFICATE OF ACKNOWLEDGMENT

Before me, Reyna Reynoso, Notary Public on this day personally appeared GEORGE ALBERTO GARZA known to me through a Texas Driver's License to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of August 2017.




Reyna Reynoso
My commission expires: 12/02/2018



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 402-4700 • FAX: (956) 781-9163



To: Melanie Cano, Director City Planning

From: Joel Robles, Asst. Chief of Police

Date: 06/08/2017

Re: Conditional use Permit and Late Hours Permit Renewal for ABC – File No. CUP#120529 (George's Dance Hall)

R.G.V. & Associates / Laura L. Garza, [REDACTED] d/b/a George's Dance Hall, is requesting renewal of the Conditional Use Permit & Late Hours Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The Property is more fully described as follows:

- **Legal Description:** Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas
- **Physical Address:** 6801 S. Jackson Rd.
- **Contact Number:** [REDACTED]

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Ms. Cano, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Asst. Chief of Police

A blue ink signature of Joel Robles, written over a horizontal line.

Joel Robles

Office: 956-402-4739

Mobile: 956-878-3233

joel.robles@pd.pharr-tx.gov

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

JUN 22 2017

BY: A blue ink signature, possibly of a representative, written over a horizontal line.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.P.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Development Services

DIRECTOR:

Agenda Item: PLATS:

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 08/29/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.P.1.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Melden & Hunt, Inc., representing Manuel Mendez, President of M and R Commodities, Inc., a Texas Corporation, is requesting final plat approval of the proposed Idea North Pharr Subdivision. The property is legally described as being a resubdivision of 22.073 acres out of Lots 79 and 82, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1000 Block of East Owassa Road.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Melden & Hunt, Inc., representing Manuel Mendez, President of M and R Commodities, Inc., a Texas Corporation, is requesting final plat approval of the proposed Idea North Pharr Subdivision SUB#161231

Financial Consideration: N/A

Staff Recommendation: Development Services recommends final plat approval of the proposed Idea North Pharr Subdivision subject to listed conditions.

The Planning and Zoning Commission voted unanimously to approve the final plat approval of the proposed Idea North Pharr Subdivision.

Alternatives: N/A

ROUTING:

Janie Benedict

Roland Gomez

Melanie Cano

City Management Office

Created/Initiated - 08/29/2017

Approved - 08/29/2017

Approved - 08/29/2017

Final Approval - 08/30/2017



MEMORANDUM

DATE: TUESDAY, SEPTEMBER 05, 2017

TO: MAYOR AND CITY COMMISSION

THROUGH: JUAN GUERRA, CITY MANAGER

FROM: DEVELOPMENT SERVICES

SUBJECT: IDEA NORTH PHARR SUBDIVISION
FILE NO. **SUB#161231**

GENERAL INFORMATION:

APPLICANT: Melden & Hunt, Inc., representing Manuel Mendez, President of M and R Commodities, Inc. a Texas Corporation, is requesting final plat approval of the proposed Idea North Pharr Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a resubdivision of 22.073 acres out of Lots 79 and 82, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 1000 Block of East Owassa Road.

ZONING: The property is currently zoned Heavy Commercial District (H-C). The adjacent zones are City limits to the north, Agricultural and/or Open Space District (A-O) and Single Family Residential District (R-1) to the south, Limited Industrial District (L-I) and Single Family Residential District (R-1) to the west and Mobile Home District (R-MH) and City limits to the east. The property is designated for industrial use in the Land Use Plan.

PROPERTY PROPOSED USE: Idea school campus.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed Idea North Pharr Subdivision subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:**

1. Gates to be 40' away from R.O.W.
2. Driveway approach to be to city standards.
3. Remove and relocate any utilities from right of way.
4. Pave 1/3 street R.O.W. and include street markings with regulatory signs.
5. No street cuts on E. Owassa Rd. allowed, need to bore (if applicable).
6. Will need street light layout details (at building permit stage).
7. No "left Turn" signs at school entrances. (recommended)
8. Streets and driveways to be paved and designed to city standards.
9. Thoroughfare plan shows 70' street on east side and south.
10. Copies of permit approval for crossing R.O.W. or easements will need to be turned in to City.

EASEMENTS:

1. All public utilities shall read "15' Exclusive easement to City of Pharr". (for City of Pharr utilities)
2. Easement in front of Lots 15 & 16 of Steel Horse Industrial Park, label as recorded in plat "Exclusive to N.A.W.S.C.".
3. Show all existing easements.

**SIDEWALK:
ADA:**

1. In compliance.

FIRE PROTECTION:

1. See attach comments.

WATER:

1. Water belongs to North Alamo Water Supply Corporation (N.A.W.S.C).
2. City of Pharr will not sign any agreements for N.A.W.S.C.

SEWER:

1. Pipe needs to be SDR26.
2. May not be able to connect to the Woodcrest subdivision sewer line.
3. Details need to be printed again.
4. Rehab the well and two (2) new pumps for the lift station.
5. Follow City of Pharr construction standards manual.

DRAINAGE:

1. Need approved drainage report (detention not retention) and match drainage directive figures on plan notes.
2. Plat note #4, needs figures need to compete drainage directive.
3. Drainage plan to include internal street runoff collection

and be all onsite detention.

4. If discharging to ditch on east, must provide ultimate outfall for entire ditch. Only 1 outfall permitted.
5. Regrade bar ditch.
6. Suggest relocating detention pond from "AH" flood zone.
7. Perimeter fence will be needed around detention areas 3 ft. or deeper. (provide as a plat note)

OTHER:

1. Need S.W.P.P.P. with C.N.O.I. filed.
2. Include retention after detention for plat note#10.
3. For general note #1, remove "mostly in" and "partially in".
4. Community panel number and map revised date are incorrect in general note #1.
5. On location map correct city limit line.
6. Update the subdivision on Steel Horse Industrial Park and on metes and bounds.
7. Verify acreage on lot and metes and bounds.
8. Extra dimensions on east Owassa road verify.
9. Call outs to be legible.
10. Plat note #4, provide figures.
11. Project engineer to sign plat.
12. Shall follow T.I.A. recommendations and City staff.
13. Idea North Pharr Subdivision will be recorded with a letter of credit.

**PLANNING AND
ZONING
COMMISSION:**

The Planning and Zoning Commission voted unanimously to approve the final plat approval of the proposed Idea North Pharr Subdivision.



Pharr Fire – Rescue
118 S Cage Blvd., 3rd Floor
Pharr, Texas 78577
Tel: (956) 402-4400 Fax: (956) 475-3433



Subdivision: Idea North Pharr Subdivision (Pre-Cons)

Reviewed By: Felipe Pedraza, Asst. Fire Marshal Date: August 16, 2017

1. All designed waterlines shall be a minimum of eight (8) inch for residential and (8-12) inch in diameter for commercial and (12) inch of better for industrial areas unless fire flow requires larger lines for commercial areas. Educational Facility 12" diameter minimum.
2. All designed waterlines shall be looped on a fire department approved water main (Utilities shall be in place including fire hydrants before any construction above the slab)
3. Fire hydrants shall be installed at a maximum of 300 ft. intervals in any mercantile district and every 600 ft. in residential areas and shall be FACTORY YELLOW from the manufacture with a minimum arrangement being so as to have a hydrant available for distribution to hose to any portion of any building in the premises at distances not exceeding 400 ft., but in no case shall hose lengths be greater than 400 ft. The distance shall be measured on a roadway surface meeting the fire department access requirements of 503.1 International Fire Code 2012.
4. All premises where building or portions of buildings are located more than 300 ft. from a main street fire hydrant system shall be provided with approved on site fire hydrant (s) and water mains capable of supplying adequate fire flow approved by the Fire Officials.
5. Street names shall be provided prior to or during the per-construction meeting for review and approval. No street name shall be duplicated within the City of Pharr and its E.T.J. Alignment of new streets with existing streets shall take precedence over new street name assignment.
6. During construction, when combustibles are brought on the site in such quantities as deemed hazardous by the Fire Official, access roads and a suitable temporary supply of water acceptable to the Fire Department shall be provided and maintained.
7. \$25.00 fee for each Blue Marker to be affixed on payment by city to indicate location of a fire hydrant. FIRE HYDRANT COLOR MUST BE FACTORY YELLOW FROM MANUFACTURE PRIOR TO INSTALLATION.
8. Contractor testing waterlines shall dispose highly chlorinated water. (Hazardous Waste)
9. Fire lanes must be painted RED: 15 feet on each side of hydrant (total 30 feet)* with lettering at least 3 inches tall. FIRE LANE – TOW AWAY ZONE.
10. Any new subdivision with GATED COMMUNITY SECURITY SYSTEMS must obtain the Fire Department approved Knox Box Switch –Rapid Entry System made by the Knox Company (Phone Number 800-552-5669 Fax 949-623-4647) or an approved fire department siren system before subdivision's final approval of 503.5 in International Fire Code 2012: Where security gates are installed, with a minimum of 20 ft. (6096 mm) clearance shall be maintained and a means for emergency operations shall be provided and maintained as approved by the fire official.
11. Designed fire lanes or roads deemed necessary for fire department access by the fire official shall be established and maintained in an operable condition. 503.1 International Fire Code 2012: All weather surfaces must be in place before any final inspection is approved. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the department apparatus by a way of an approved fire apparatus access road with an asphalt, or concrete driving surface capable of supporting the imposed load of fire apparatus weighting at least 75,000 pounds.
12. Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
13. All water valves (hydrant and main) shall be open prior to final inspection.
14. Public utilities personnel must be advised prior to opening and closing existing water valves.
15. Must meet City of Pharr Standards Manual Construction & Development Guide.

Additional Comments:

☒ **City of Pharr- Standards Manual requires waterlines for all educational facilities to be of 12" in diameter for minimum size. The proposed 8" inch waterline running all along E Owassa Rd must be a minimum size of 12-inches and not 8-inches.**

☒ **Both proposed vehicles discharged access roads found by the main entrances islands and by the north-east side main parking access road. The large island vehicle discharge area needs to be adjusted to 20 ft vehicle access clearance and not 15ft as shown on sheet 1 for the site plan.**

☒ **Need to provide access to the fire hydrant located on the east side of the school. (During phase II)**

Subdivision: Idea North Pharr Subdivision (Pre-Cons)

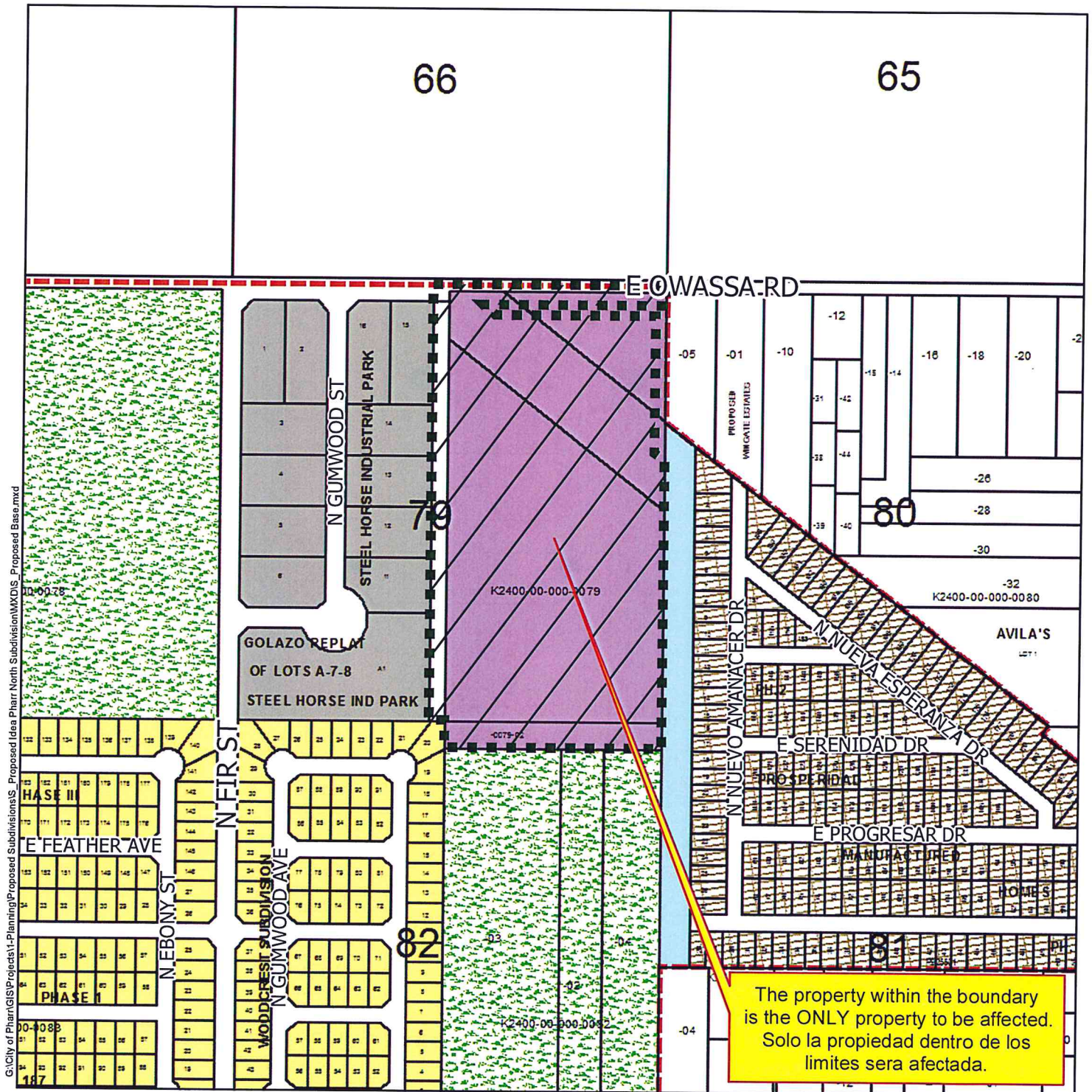
Reviewed By: Felipe Pedraza, Asst. Fire Marshal Date: August 16, 2017

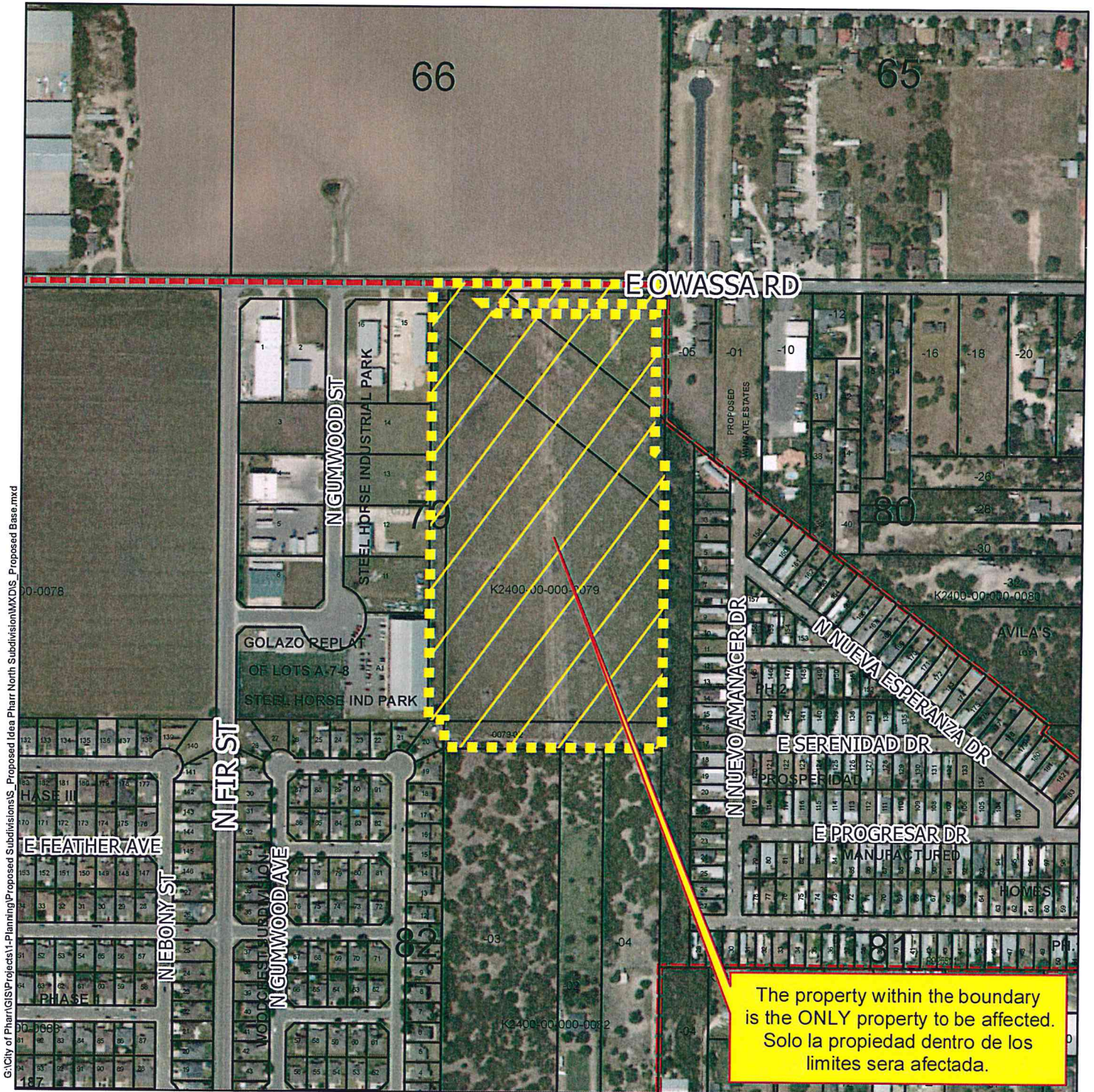
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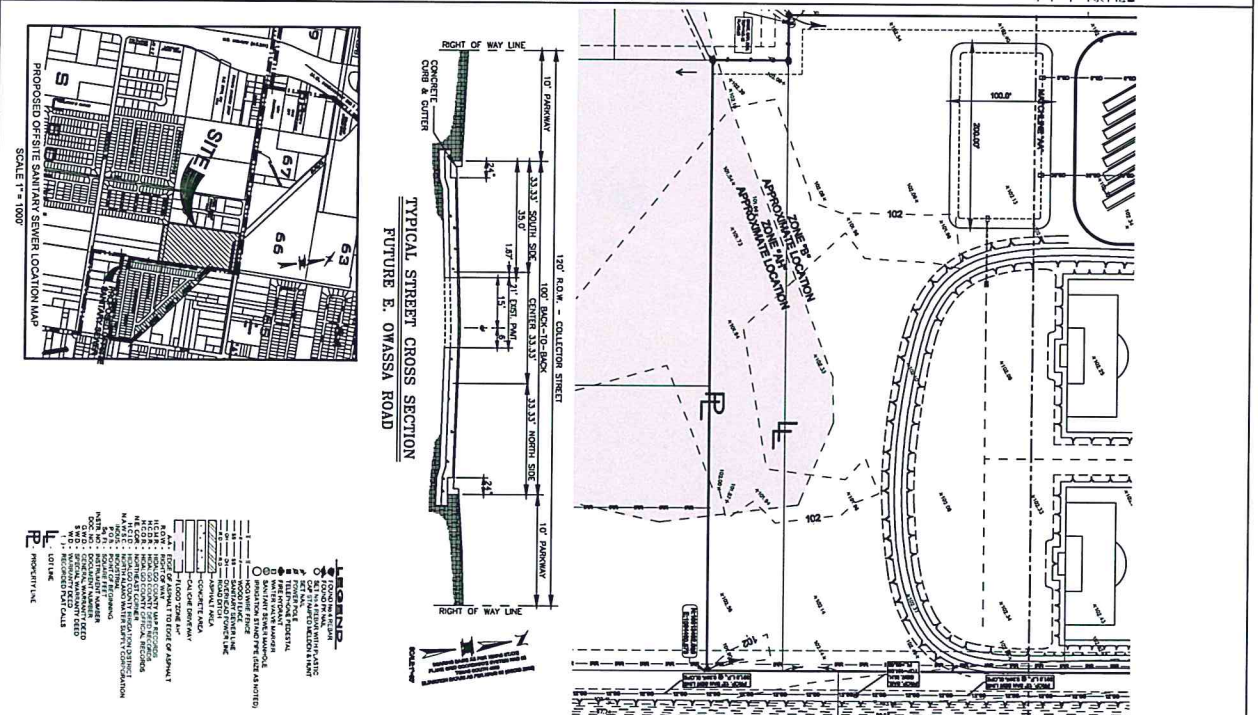
☒ Complete access road around the school is missing.

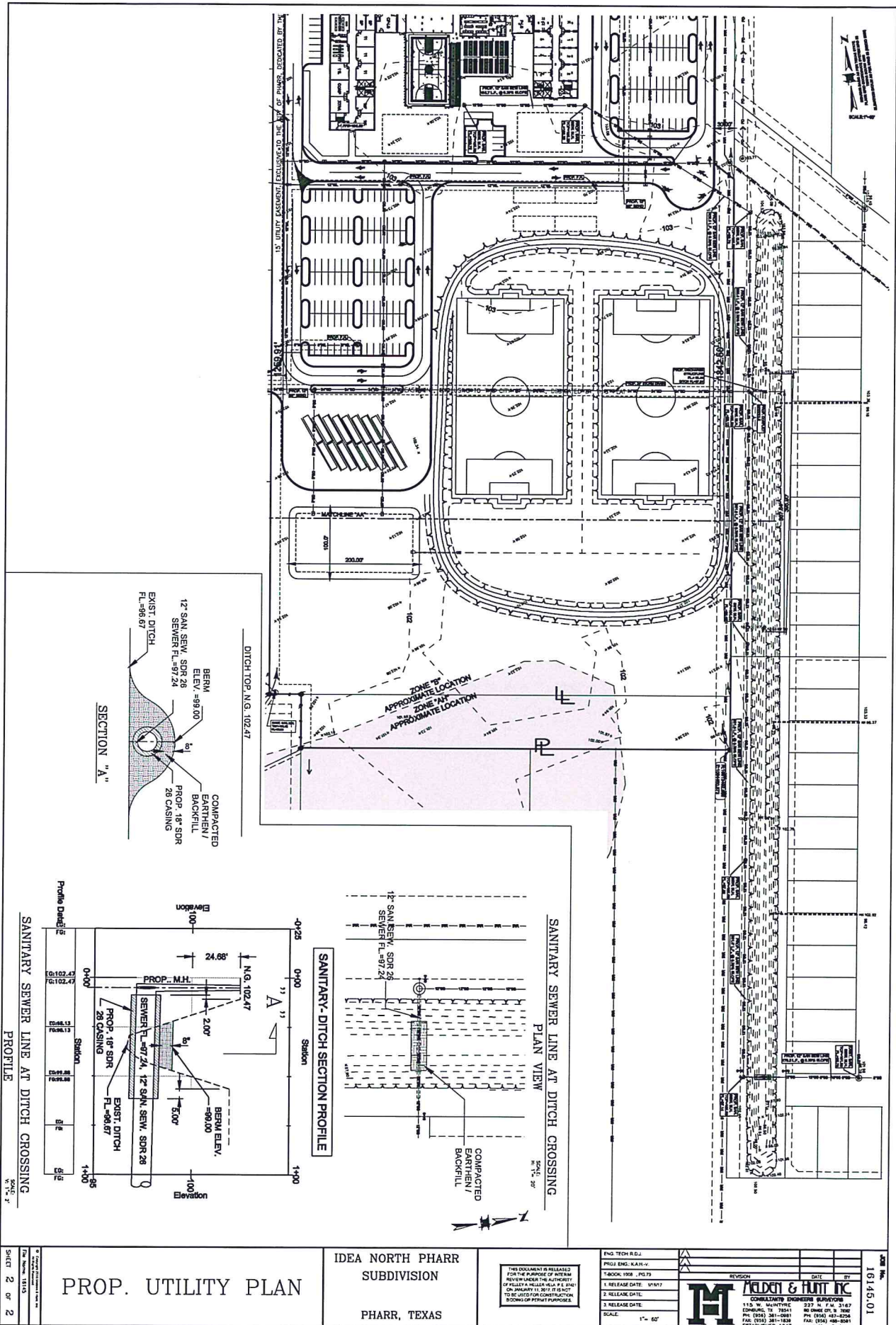
☒ Fire hydrant shall have a 3-foot clearance radius, with a 15-foot clearance to each side of the fire hydrant from any trees, high growing decoration plants, or shrubs that may obstruct the fire hydrants from view.

☒ Need to add note to read as follow: (All fire protection underground lines to be installed by a license fire protection company).











AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.P.2.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: B.I.G. Engineering, representing Adolfo Campero and Adalberto Campero, is requesting final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I). The property is legally described as being a 16.7 acre gross, 14.58 acre net, tract of land, being part or portion of Lot 358 and Lot 359, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 700 and 1200 Block of West Anaya Road.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: B.I.G. Engineering, representing Adolfo Campero and Adalberto Campero, is requesting final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I). SUB#151229

Financial Consideration: N/A

Staff Recommendation: Development Services recommends final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I) subject to listed conditions.

The Planning and Zoning Commission voted unanimously to approve the final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I).

Alternatives: N/A

ROUTING:

Janie Benedict	Created/Initiated - 08/29/2017
Roland Gomez	Approved - 08/29/2017
Melanie Cano	Approved - 08/29/2017
City Management Office	Final Approval - 08/30/2017



MEMORANDUM

DATE: TUESDAY, SEPTEMBER 05, 2017

TO: MAYOR AND CITY COMMISSION

THROUGH: JUAN GUERRA, CITY MANAGER

FROM: DEVELOPMENT SERVICES

SUBJECT: PHARR LOGISTICS CENTER PHASE I (A.K.A. CAMPERO
SUBDIVISION PHASE I) FILE NO. **SUB#151229**

GENERAL INFORMATION:

APPLICANT: B.I.G. Engineering, representing Adolfo Campero and Adalberto Campero, is requesting final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I).

LEGAL DESCRIPTION: The property is legally described as being a 16.7 acre gross, 14.58 acre net, tract of land, being part or portion of Lot 358 and Lot 359, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located between the 700 and 1200 Block of West Anaya Road.

ZONING: The property is currently zoned Agricultural and/or Open-Space District (A-O). The adjacent zones are Limited Industrial District (L-I) and Agricultural and/or Open-Space District (A-O) to the east, Limited Industrial District (L-I) to the south, Agricultural and/or Open-Space District (A-O) to the north and west. The property is designated for industrial use in the Land Use Plan.

PROPERTY PROPOSED USE: Warehouses.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I) subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:**

- 1) Provide street lighting layout with dimension.

EASEMENTS:

- 1) Need to provide offsite easement.
- 2) All easements for sewer, water and fire hydrants need to be exclusive to City of Pharr.

**SIDEWALK:
ADA:**

- 1) In compliance.

FIRE PROTECTION:

- 1) See attach comments.

WATER:

- 1) See attach comments.

SEWER:

- 1) See attach comments.

DRAINAGE:

- 1) Drainage needs to be on an as per Lot basis for plat note 9.

OTHER:

- 1) NOTE: Additional requirements may apply for issuance of building permits and will be addressed once building plans have been formally submitted to Building Safety Division. Applicant must proceed in obtaining any necessary building permits after subdivision has been recorded.
- 2) Verify the metes and bounds.
- 3) Recording with a letter of credit.
- 4) A change of zone must be submitted.

**PLANNING AND
ZONING
COMMISSION:**

The Planning and Zoning Commission voted unanimously to approve the final plat approval of the proposed Pharr Logistics Center Phase I (A.K.A. Campero Subdivision Phase I).



801 E. SAM HOUSTON
PHARR, TEXAS 78577
PHONE: 956-402-4300
FAX: 956-783-4688

Heriberto "Eddie" De Leon
Interim Public Utilities Director



REVISED-CONSTRUCTION FOR:

PHARR LOGISTIC CENTER A.K.A CAMPERO SUBDIVISION

COMMENTS: Initials: ODL / RB June 21, 2017

☐ Approve

☒ Approved with Conditions

☐ Denied

WATER:

- Verify Easements 10' and 15'
- Only one 2" meter will be allowed, the other will be 1" SPK
- Revise cost Estimates
- Size on site water tap (Wet Tap)

SEWER: OK

Developer/Owner/Responsible Party must comply with the conditions stated above. WATER METERS WILL NOT BE INSTALLED IF THERE IS A failure to comply with ANY OF THE conditions. METERS WILL BE INSTALLED UPON PAYMENT AND COMPLIANCE WITH ALL CONDITIONS STATED. By signing this you understand you must comply with the condition(s) or the water meter(s) will not be installed.

Print Name: Oscar DE Leon / Rudy Bernal

Signature: [Signature]
Signature: [Signature]

Date: 6-21-2017



Pharr Fire – Rescue
118 S Cage Blvd., 3rd Floor
Pharr, Texas 78577
Tel: (956) 402-4400 Fax: (956) 475-3433



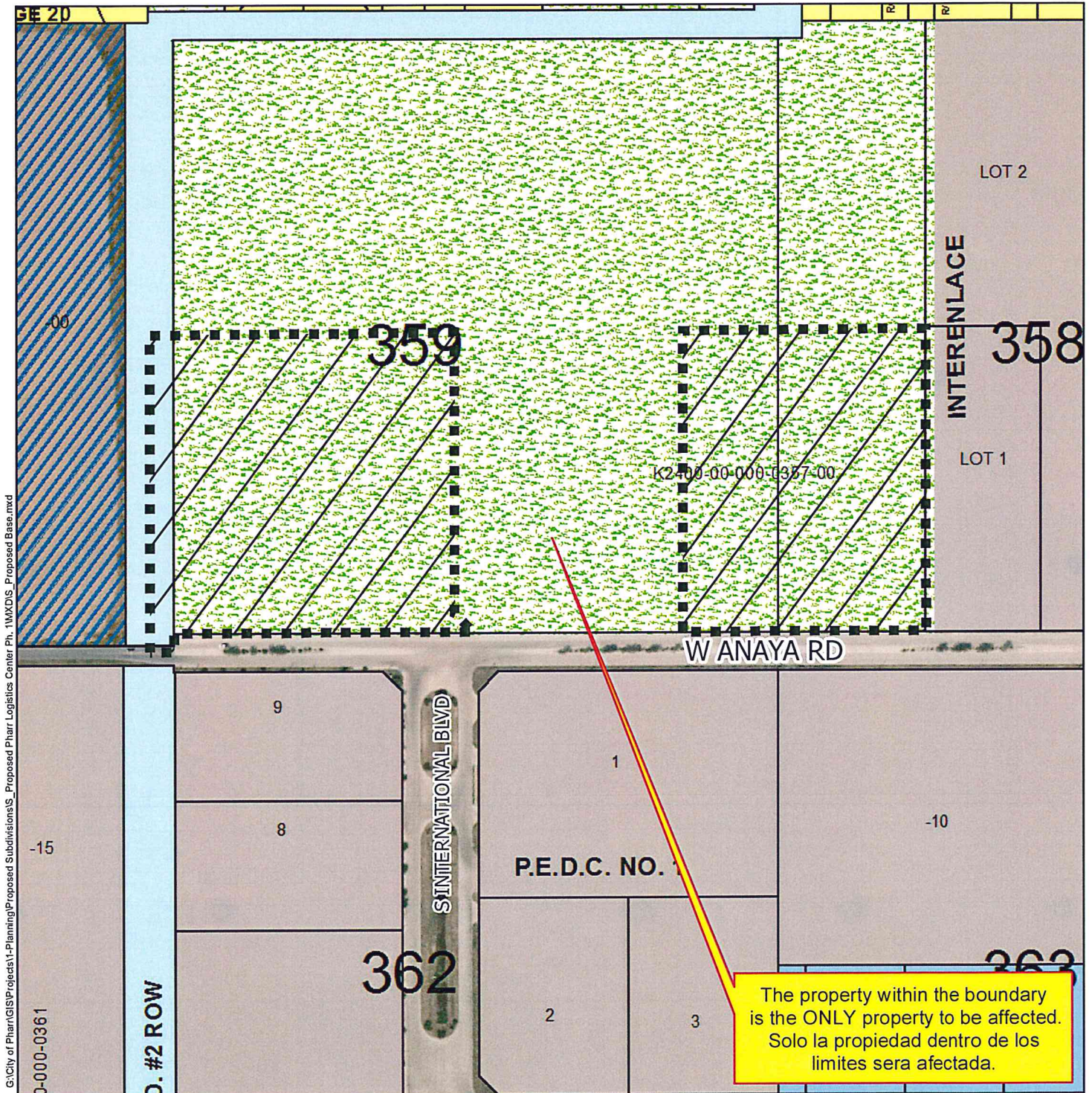
Subdivision: Campero Subdivision (Revised Staff Pre-Construction Review)

Reviewed By: ^{ASST.} Felipe Pedraza Fire Marshal *[Signature]* Date: June 29, 2017

1. All designed waterlines shall be a minimum of eight (8) inch for residential and (8-12) inch in diameter for commercial and (12) inch of better for industrial areas unless fire flow requires larger lines for commercial areas.
2. All designed waterlines shall be looped on a fire department approved water main (Utilities shall be in place including fire hydrants before any construction above the slab)
3. Fire hydrants shall be installed at a maximum of 300 ft. intervals in any mercantile, commercial and industrial districts and every 600 ft. in residential areas and shall be FACTORY YELLOW from the manufacture with a minimum arrangement being so as to have a hydrant available for distribution to hose to any portion of any building in the premises at distances not exceeding 400 ft., but in no case shall hose lengths be greater than 400 ft. The distance shall be measured on a roadway surface meeting the fire department access requirements of 503.1 International Fire Code 2012.
4. All premises where building or portions of buildings are located more than 300 ft. from a main street fire hydrant: system shall be provided with approved on site fire hydrant (s) and water mains capable of supplying adequate fire flow approved by the Fire Officials.
5. Street names shall be provided prior to or during the per-construction meeting for review and approval. No street name shall be duplicated within the City of Pharr and its E.T.J. Alignment of new streets with existing streets shall take precedence over new street name assignment.
6. During construction, when combustibles are brought on the site in such quantities as deemed hazardous by the Fire Official, access roads and a suitable temporary supply of water acceptable to the Fire Department shall be provided and maintained.
7. \$25.00 fee for each Blue Marker to be affixed on payment by city to indicate location of a fire hydrant. FIRE HYDRANT COLOR MUST BE FACTORY YELLOW FROM MANUFACTURE PRIOR TO INSTALLATION.
8. Contractor testing waterlines shall dispose highly chlorinated water. (Hazardous Waste)
9. Fire lanes must be painted RED: 15 feet on each side of hydrant (total 30 feet)* with lettering at least 3 inches tall. FIRE LANE – TOW AWAY ZONE.
10. Any new subdivision with GATED COMMUNITY SECURITY SYSTEMS must obtain the Fire Department approved Knox Box Switch –Rapid Entry System made by the Knox Company (Phone Number 800-552-5669 Fax 949-623-4647) or an approved fire department siren system before subdivision's final approval of 503.5 in International Fire Code 2012: Where security gates are installed, with a minimum of 20 ft. (6096 mm) clearance shall be maintained and a means for emergency operations shall be provided and maintained as approved by the fire official.
11. Designed fire lanes or roads deemed necessary for fire department access by the fire official shall be established and maintained in an operable condition. 503.1 International Fire Code 2012: All weather surfaces must be in place before any final inspection is approved. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the department apparatus by a way of an approved fire apparatus access road with an asphalt, or concrete driving surface capable of supporting the imposed load of fire apparatus weighting at least 75,000 pounds.
12. Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
13. All water valves (hydrant and main) shall be open prior to final inspection.
14. Public utilities personnel must be advised prior to opening and closing existing water valves.
15. Must meet City of Pharr Standards Manual Construction & Development Guide.

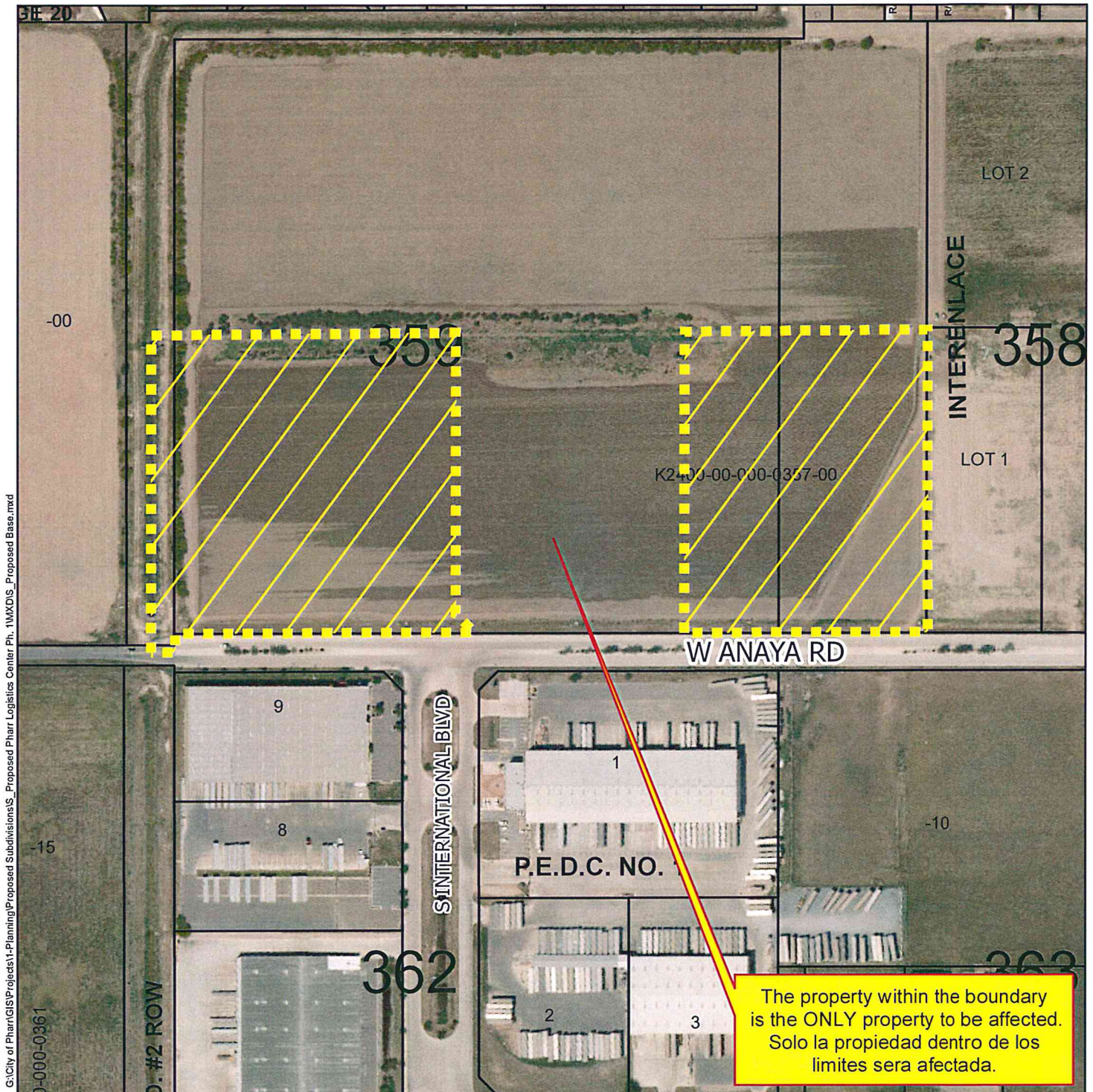
Additional Comments:

- ☒ At time of staff preconstruction review the subdivision was found to be within reasonable compliance.
- ☒ Fire hydrant shall have a 3 foot clearance radius, and a 15 foot clearance to each side of fire hydrant from trees and high growing decoration plants or shrubs that may cover fire hydrants.
- ☒ Natural Gas Line easement must be kept clear of any structures at all times, or provide a letter of agreement from the gas company allowing you to build over gas easement. This is for filing purposes only.



Agricultural Open Space	High Density Multi-Family	Government Owned	Heavy Industrial	Hidalgo ISD
Single Family	Mobile Home	General Business	Limited Industrial	Valley View ISD
Single Family Small Lot	Townhouse	Business District	Neighborhood Commercial	Planned Unit Development
Two Family	HUD Code	Drainage Easement	Office Professional	
Medium Density Multi-Family	Rail Road R.O.W.	Heavy Commercial	PSJA ISD	





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- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |





AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 5.P.3.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: B.I.G. Engineering, representing Annabelle Palomo, is requesting final plat approval of the proposed APRL Subdivision. The property is legally described as being a 12.474 acre tract of land out of Lot 85, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 5400 Block of North IH 69C.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: B.I.G. Engineering, representing Annabelle Palomo, is requesting final plat approval of the proposed APRL Subdivision SUB#160823

Financial Consideration: N/A

Staff Recommendation: Development Services recommends final plat approval of the proposed APRL Subdivision subject to listed conditions.

The Planning and Zoning Commission voted unanimously to approve the final plat approval of the proposed APRL Subdivision.

Alternatives: N/A

ROUTING:

Janie Benedict

Created/Initiated - 08/29/2017

Roland Gomez
Melanie Cano
City Management Office

Approved - 08/29/2017
Approved - 08/29/2017
Final Approval - 08/30/2017



MEMORANDUM

DATE: TUESDAY, SEPTEMBER 05, 2017
TO: MAYOR AND CITY COMMISSION
THROUGH: JUAN GUERRA, CITY MANAGER
FROM: DEVELOPMENT SERVICES

SUBJECT: APRL SUBDIVISION FILE NO. SUB#160823

GENERAL INFORMATION:

APPLICANT: B.I.G. Engineering, representing Annabelle Palomo, is requesting final plat approval of the proposed APRL Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 12.474 acre tract of land out of Lot 85, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 5400 Block of North IH 69C.

ZONING: The property is currently zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north and west, General Business District (C) and Limited Industrial District (L-I) to the east and Single Family Residential District (R-1) and Limited Industrial District (L-I) to the south. The property is designated for commercial and industrial use in the Land Use Plan.

PROPERTY PROPOSED USE: RGV careers institute.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed APRL Subdivision subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:**

1. Need 5' additional for R.O.W. on W. Minnesota Rd. for a total of 80'.
2. Pave 1/3 of street R.O.W. on W. Minnesota Rd and pave 70' proposed R.O.W.
3. Provide a 30'x30' corner clip for the 70' street R.O.W.
4. The existing private drive/street is encroaching into the 70' R.O.W. verify.
5. Provide a street lighting plan layout.

EASEMENTS:

1. All easements shall read "15' Exclusive easement to City of Pharr" for water and sewer.
2. Utilities to be "Exclusive to City of Pharr".
3. Show all existing easements.

**SIDEWALK:
ADA:**

1. Note #4, wheelchair ramps and landings per ADA requirements to be constructed at subdivision construction stage.

FIRE PROTECTION:

1. See attach comments.

WATER:

1. AC waterline in front of property and on side of the property on W. Minnesota Rd. need to be replaced with PVC. AC line can be left in place.
2. Need 12-inch water line valve close to the 90 degree bends.
3. PVC needs to be DR18.
4. Connection needs to be wet tap.
5. All bends will have megalock.
6. Connections will be wet tap with the proper valves, stainless steel tap sleeves etc.
7. Follow City of Pharr construction standards manual.

SEWER:

1. Need a sewer stub out show sewer service stub out.
2. Follow City of Pharr construction standards manual.

DRAINAGE:

1. Plat note #11, add figures incomplete detention directive.
2. Need to approve the drainage report and correct the street name.

OTHER:

1. Provide date of surveyed on plat.
2. Shall apply for a C.U.P for an institutional use.
3. Need to label all monuments.
4. Add "Danny Wylie" to Chairman, for Planning & Zoning.

5. Add plat note: Owner's to maintain R.O.W and perimeter of subdivision.
6. Add plat note: Owner's to maintain detention/retention areas.
7. Need S.W.P.P.P. with C.N.O.I. filed.
8. On location map show true north.
9. APRL Subdivision will be recorded with a letter of credit.

**PLANNING AND
ZONING
COMMISSION:**

The Planning and Zoning Commission voted unanimously to approve the final plat approval of the proposed APRL Subdivision.



Pharr Fire – Rescue
118 S Cage Blvd., 3rd Floor
Pharr, Texas 78577
Tel: (956) 402-4400 Fax: (956) 475-3433



Subdivision: April Subdivision

Reviewed By: Jacob Salinas Fire Marshal

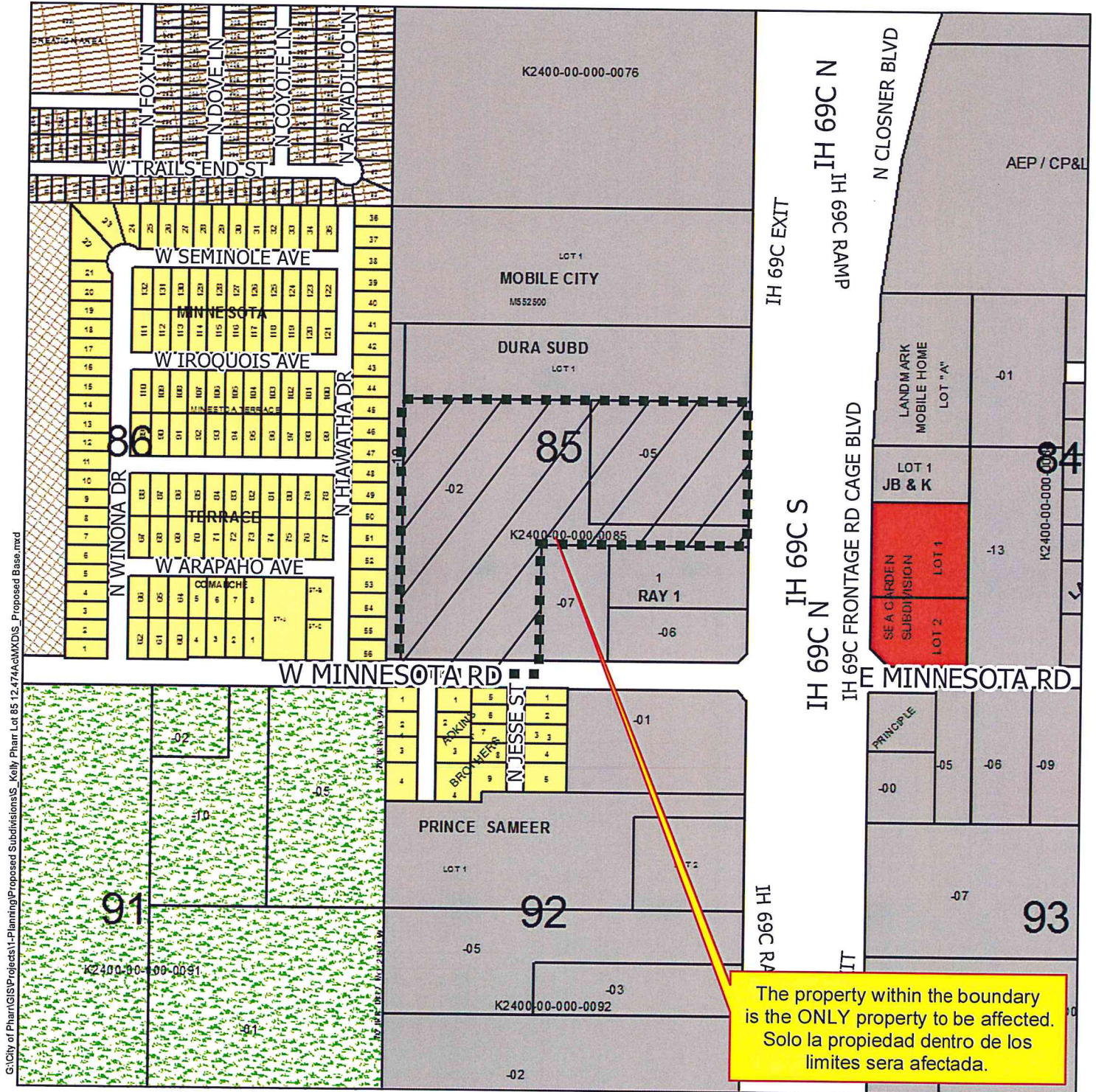
Date: 2/9/17

1. All designed waterlines shall be a minimum of eight (8) inch for residential and (8-12) inch in diameter for commercial and (12) inch or better for industrial areas unless fire flow requires larger lines for commercial areas.
2. All designed waterlines shall be looped on a fire department approved water main (Utilities shall be in place including fire hydrants before any construction above the slab)
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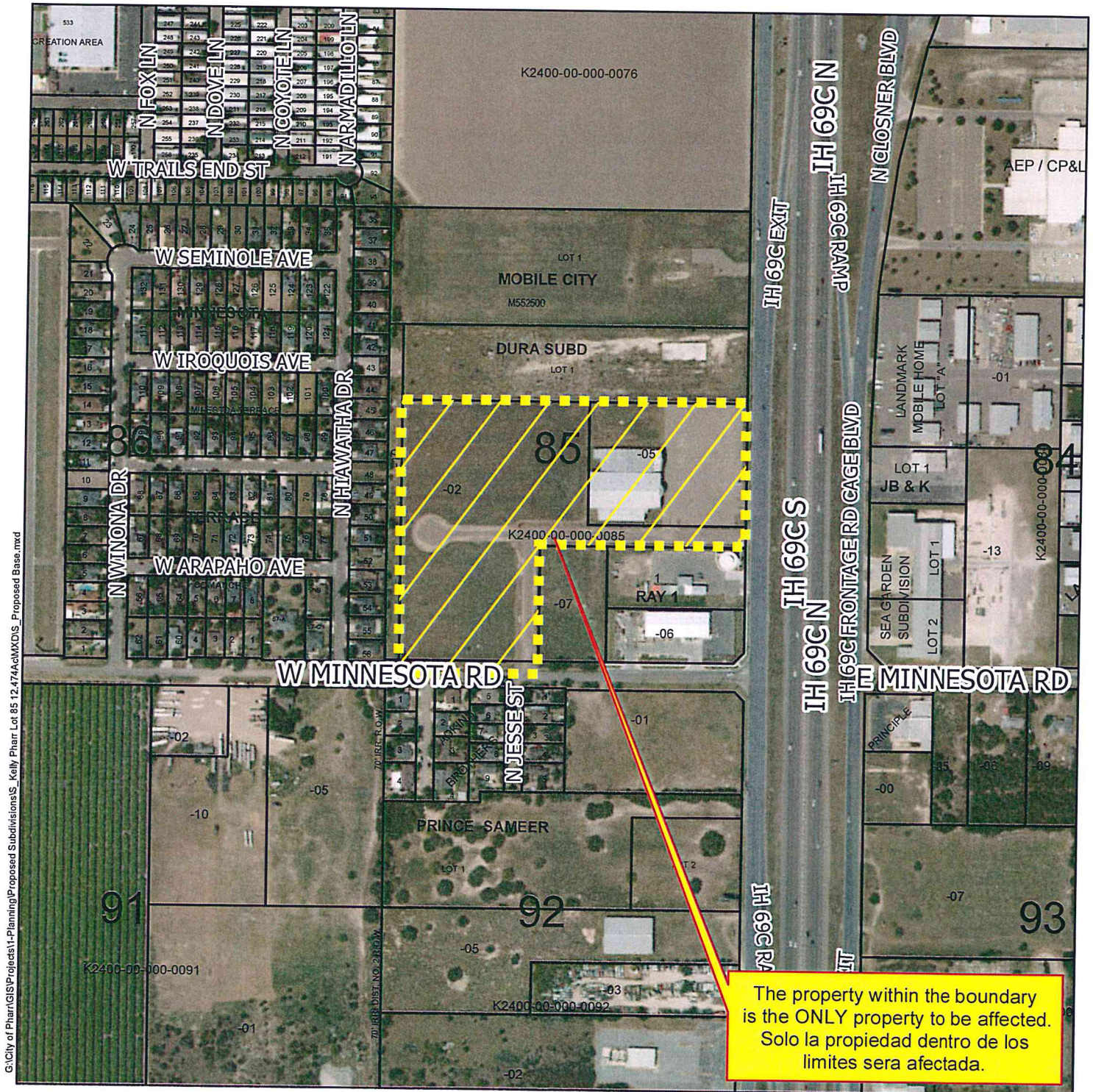
Additional Comments:

☒ On the proposed 12-inch waterline that would loop back into W Minnesota, additional fire hydrants will be required. Go from the existing fire hydrant found on the south east of the building, go west on the proposed 12-inch waterline and space a fire hydrant every 300 ft until the end of the required waterline would tie into the existing 12-inch waterline found on W Minnesota.





- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |





APRIL SUBDIVISION
PHARR, TEXAS



20

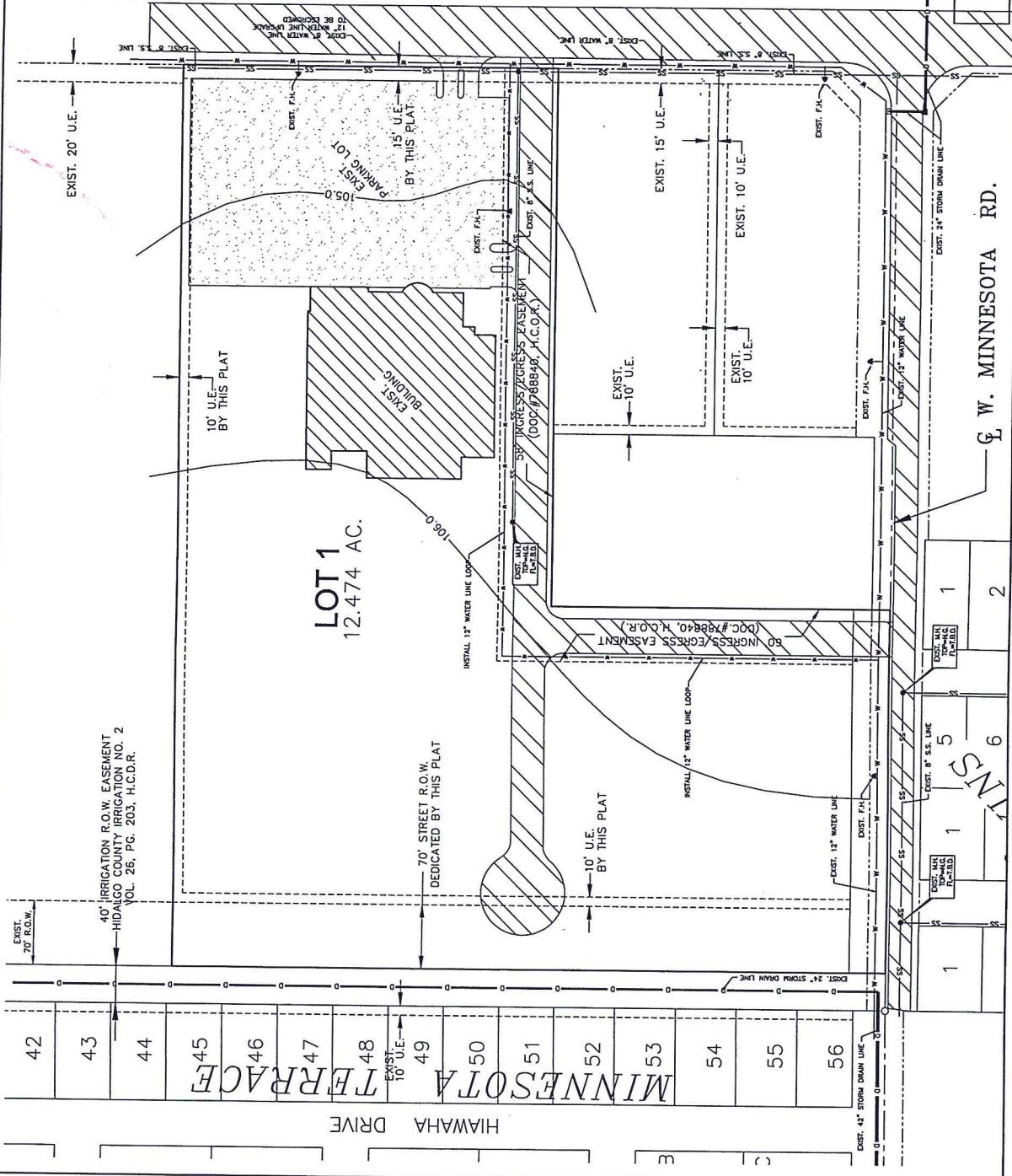
PRELIMINARY PLAT REVIEW
THIS DOCUMENT HAS BEEN RELEASED FOR
PLAT REVIEW BY RENE BARRERA, P.E. No. 86886
JAN - 2017

GL W. MINNESOTA RD.

LOT 1
12.474 AC.

[illegible]

HIAWAHA DRIVE

[illegible]



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.A.

DATE SUBMITTED: August 31, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: HR

DIRECTOR: Anali Alanis

Agenda Item: Consideration and action, if any, on Ordinance amending Ordinance O-2016-32 to adopt a new and updated Personnel Policy Manual . ***3rd and Final Reading***

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Existing Personnel Policy Manual was last updated on September 2016, since then a policy has been identified that treats Directors & Assistant Directors who were hired before December 31, 2015 different than the rest of the employees regarding annual leave accruals. In order to treat all employees fairly the aforementioned policy needs to be revised. Chapter 7 - Probationary Status and Chapter 11 - Non-professional employee relationships are also being updated for better management of staff.

Financial Consideration:

Staff Recommendation: Staff recommends City Commission approval for new and updated Personnel Policy Manual.

Alternatives:

ROUTING:

Hilda Pedraza
Anali Alanis
Patricia Rigney

Created/Initiated - 08/31/2017
Approved - 09/01/2017
Approved - 09/01/2017

City Management Office

Final Approval - 09/01/2017

ORDINANCE NO. O -2017-

AN ORDINANCE AMENDING ORDINANCE NO. O-2016-32 ADOPTING A NEW AND UPDATED PERSONNEL POLICY & PROCEDURES MANUAL AND REPEALING, SUPERSEDING, AND RENDERING NULL AND VOID ALL PRIOR ORDINANCES ADOPTING THE PREEXISTING PERSONNEL POLICY & PROCEDURES MANUAL, AS AMENDED FROM TIME TO TIME

WHEREAS, the majority of the services rendered by the City of Pharr to its citizens and residents are provided by a broad range of employees and other personnel hired by the City of Pharr; and

WHEREAS, the hiring, orientation, training, discipline, and evaluation of the City's workforce is guided by an existing Personnel Policy & Procedures Manual, as amended; and

WHEREAS, the existing Personnel Policy & Procedures Manual needs to be updated, modified, and revised to incorporate changes in the law affecting personnel management in the public sector, as well as to take into account the growing size and abilities of the City's workforce; and

WHEREAS, the adoption of a new City of Pharr Personnel Policies & Procedures Manual will supersede and render null and void all previously enacted ordinances that address personnel policies and procedures so as to incorporate all new changes, modifications, and updates into a single stream-lined document; and

WHEREAS, the Board of Commissioners has commissioned the preparation of an updated and modified Personnel Policy & Procedures Manual, which is attached as an exhibit to this Ordinance and is hereby incorporated by reference for all purposes.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

SECTION 1. ADOPTION OF UPDATED PERSONNEL POLICY & PROCEDURES MANUAL

The Board of Commissioners hereby adopts the new City of Pharr Personnel Policies & Procedures Manual, which is as Exhibit "A" to this Ordinance and is incorporated by reference for all purposes.

SECTION 2. REPEALER; SPECIFIC ORDINANCES

The following Ordinances, which relate to the adoption of the existing Personnel Policy & Procedures Manual, as amended from time to time over the years, are, with the adoption of this Ordinance, hereby superseded, repealed and rendered null and void; specifically Ordinance Nos.:

O-2007-29; O-2007-54; O-2008-19; O-2008-53; O-2009-06; O-2010-51;
O-2011-42; O-2012-39; O-2012-44 and O-2016-32

SECTION 3. REPEALER; GENERALLY

Any other Ordinances not mentioned in Section 2 that address subject matter areas that are now addressed in the Personnel Policy & Procedures Manual, attached as Exhibit "A" to this Ordinance, are also hereby superseded, repealed and rendered null and void to the extent that any such Ordinances or parts thereof are in conflict with the subject matter and content of the attached Exhibit "A".

SECTION 4: SEVERABILITY CLAUSE

If any part of this Ordinance is found to be invalid or unconstitutional by a court having competent jurisdiction, then that invalidity or unconstitutionality shall not affect the remaining parts, and those remaining parts shall continue to be in full force and effect, and to that extent this ordinance is considered severable.

SECTION 5: EFFECTIVE DATE

The importance of the subject matter of this Ordinance creates an emergency and an imperative public necessity requiring the suspension of the provision of the City Charter of the City of Pharr, Texas, that no Ordinance shall be passed until it has been read on three (3) separate days, and such provision of the City Charter is hereby suspended and said requirement dispensed with by a majority vote of all of the members of the Board of Commissioners. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION 6: PROPER NOTICE AND MEETING:

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of _____, 2017, A.D.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



PERSONNEL POLICY MANUAL



**CITY OF PHARR
P.O. BOX 1729 • 118 S. CAGE BOULEVARD
PHARR, TEXAS 78577**

**FOR CONSIDERATION AND APPROVAL
BY THE PHARR CITY COMMISSION ON SEPTEMBER 06, 2016**



AFFECTED ORDINANCES

**THIS PERSONNEL POLICY MANUAL WAS ADOPTED
PURSUANT TO ORDINANCE NO. O-2016-32**

**THE PROVISIONS OF THE ORDINANCES LISTED BELOW TO THE
EXTENT THEY ARE RETAINED, ARE HEREBY CARRIED FORWARD INTO
THIS UPDATED PERSONNEL POLICY MANUAL AS SPECIFIED HEREIN,
AND THE ORDINANCES LISTED BELOW ARE THEREFORE HEREBY
SUPERSEDED AND RENDERED NULL AND VOID**

**O-2007-29; O-2007-54; O-2008-19; O-2008-53; O-2009-06; O-2010-51;
O-2011-42; O-2012-39; O-2012-44;**

**THIS INCLUDES BUT IS NOT LIMITED TO AND ANY OTHER ORDINANCE
PROVISIONS RELATED TO PERSONNEL POLICIES
RULES AND REGULATIONS
COVERED BY THIS MANUAL**

Leadership Traits

Pharr **PRIDE** = **P**rofessionalism, **R**espect, **I**ntegrity, **D**iscipline, **E**thics

Professionalism in your work and appearance.

Have pride in the work that you do, it will be what you are known for. If you perform poorly and your level of effort is minimal, it will show and it will tarnish your reputation as such. The work you do represents who you are, so take pride and do a professional job.

If there are certifications to your level of expertise, get them; do not sit back and only do your job, make it a career.

Professionalism is expected of everyone. This includes professional customer service, proper dress attire, and appropriate relationships with co-workers, employees and citizens.

Respect for yourself, your co-workers, employees and citizens.

Respecting yourself means doing what is needed to be a well-rounded person; you have to be mentally, physically, and spiritually stable in order to perform well at work. Complications due to instability leads to lack of productivity and maximum effort at work.

Respecting your co-workers and employees will lead to a good, more productive team. Without a good team, no Manager/Supervisor/Director/City Manager could ever provide the high quality services that the citizens deserve. Respect them by making sure they are properly trained, treated fairly, and allowed opportunities to grow.

Our Citizens are the reason we have jobs. Every citizen, regardless of their economic status, will be respected and treated fairly. If we expect compliance from them, we must comply ourselves. There will be no favoritism, no “compadrismo.”

Integrity in your work and in your life.

Integrity is the cornerstone of your character. You will not be an effective leader unless you earn the trust of your co-workers, employees and our citizens.

Being accountable for your actions, and acting with pride and honor when all eyes are on you, and even more so when no one is watching. Great leaders must first be great men and women.

Discipline in what you do.

Having discipline will allow you to lead by example: dress, speak and act proper, treat people with courtesy and respect, arrive and leave work when you are scheduled to, complete your work assignments on time, and always get the job done.

Set clear expectations and boundaries, and always be consistent.

Any organization cannot thrive without rules. You have to make sure your employees work according to the values and conduct the City Administration is trying to uphold. If one or a number of them decide to turn away from these sets of values, this will surely reflect on how people perceive the City.

Ethics is key to meeting and respecting the taxpayer's expectations and resources.

Everyone is expected to perform their duties in an ethical, fair, legal manner free of conflict of interests.

You must adhere to moral, professional and legal standards of conduct in the fulfillment of your professional responsibilities in order to enhance your performance and meet expectations.

Every profession adheres to ethical standards. This can also be called Code of Conduct, Code of Ethics, and Code of Professional Ethics.

Leadership Principles

- ❖ Know yourself and seek improvement.
- ❖ Be technically and tactically proficient.
- ❖ Know your team and look out for their welfare.
- ❖ Keep your team informed.
- ❖ Lead by example.
- ❖ Ensure the task is understood, supervised, and accomplished.
- ❖ Train your staff as a team.
- ❖ Make sound and timely decisions.
- ❖ Develop a sense of responsibility among your subordinates.
- ❖ Employ your command in accordance with its capabilities.
- ❖ Seek responsibility and take responsibility for your actions.

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CHAPTER 1. GENERAL STATEMENT

Section 1. General Statement. The policies and procedures set forth in this manual provide guidelines for City management and the Employees during the employment relationship. This manual contains general statements of the City of Pharr personnel policies and does not, because it is impossible to do so, contain the finer details for implementation and application in particular circumstances.

Section 2. No Contract Created or Intended. Further, this Policy Manual is not intended to, nor does it in fact, serve as an express or implied contract or promise of employment. Neither this manual nor the policies and procedures set forth in it create contractual rights regarding the status of job descriptions, maintenance of standards, personnel action, or otherwise. This Manual is intended as a guide for management and employees that addresses expectations and objectives in connection with personnel management.

Section 3. Retention of Authority to Modify Policy. The City of Pharr retains the authority to add to the policies in the Manual or revoke or modify them from time to time in the form of supplemental policies and directives to fulfill the personnel and staffing needs of the various City departments. Employees are charged with the responsibility of remaining aware of changes to policy and practice communicated to them by written memos and directives communicated by management.

Section 4. Expectation of Compliance. The City of Pharr expects its employees to comply with all applicable rules of behavior and conduct in the performance of duties, including all rules, regulations, and policies relating to safety rules and safety standards.

Section 5. Customer Service Orientation. Every city employee is expected to know and understand that the employee works for all the citizens of Pharr and that exemplary customer service is a job requirement that applies to every budgeted position authorized by the City Commission.

CHAPTER 2. CITY ORGANIZATIONAL STRUCTURE

Section 1. Home Rule Municipality. The City of Pharr is a home-rule municipality governed by an elected Board of Commissioners.

Section 2. City Manager Administration. The City Manager, as the Chief Executive Officer for the City, is hired by and is accountable to the elected City Commission. Except as otherwise provided in this Manual, or as required by law, the City Manager has the final authority over the day to day management of all employees who work for the City of Pharr.

- A. The City is organized in a top down pyramid structure, and it is organized into administrative departments. The design of the administrative structure, including the design and functions of each

department, is determined by the City Commission and the City Manager.

Section 3. Staffing. The staffing needs of the City generally, and of each specific Department is also controlled by the City Manager and the City Commission. The number of budgeted and recognized positions is handled through the budget process, taking into account the needs of the City and any fiscal restraints that exist in any particular budget year.

Section 4. Administration. The City Manager shall have final authority and responsibility for the administration and enforcement of the policies set forth in this manual. Department Director will assist the City Manager in setting and enforcing standards of Employee conduct, welfare and morale in their departments.

Section 5. Department Director. Department Director will be responsible for the proper and effective administration of these Rules and Regulations within their departments. Routine matters pertaining to enforcement may be delegated to other supervisory personnel.

Section 6. Departmental Policies. Departments Director with prior approval of City Manager may prepare and enforce supplemental personnel policies for the administration of personnel matters regarding their department.

- A. These departmental policies and procedures shall serve as supplements to this Personnel Policies Manual. In the event of conflict in any section, this Personnel Policies Manual shall prevail.

Section 7. Goals of this Manual. A primary purpose of this Personnel Policy Manual is to achieve the following goals:

- A. To promote and increase efficiency and responsiveness to the public;
- B. To provide fair and equal employment opportunity for qualified persons;
- C. To maintain recruitment, advancement, and to enhance the attractiveness of a City of Pharr career and encourage each Employee to give his or her best effort to the City and the public;
- D. To maintain consistent, up-to-date position classification and compensation plans based on the relative duties and responsibilities of jobs in the City service; and
- E. To promote pride and high morale among City of Pharr Employees with examples set forth in Pharr PRIDE Leadership Principles and Traits.

CHAPTER 3.EQUAL EMPLOYMENT OPPORTUNITY POLICY

Section 1. No Discrimination Allowed. The City of Pharr is committed to equal employment opportunity for all individuals without regard to race, religion, gender, sex, age, national origin, disability, or veteran status. This commitment extends to all terms, conditions, and privileges of employment as well as Employees' use of all City work facilities and participation in all City sponsored Employee activities.

Section 2. No Harassment Allowed. Harassment, retaliation, coercion, interference, or intimidation of any Employee due to that Employee's race, religion, color, national origin, sex, age, disability, or veteran status is strictly forbidden. Employee who either witness or experiences such activity should follow the reporting procedures outlined elsewhere in this Manual.

Section 3. No Retaliation for Protected Conduct Allowed. The City is committed to enforcement of any and all applicable state and federal law that prohibits retaliation against an employee motivated by what is otherwise protected conduct or activity under state or federal law.

CHAPTER 4.DISABILITY POLICY

Section 1. The City will make reasonable accommodations, as required by state and federal law and in accordance with the most recent interpretations of any applicable law.

Section 2. Employees who believe they need an accommodation in the performance of their job should make the request in writing and further discuss the matter with their supervisor or department Director so that an evaluation can be made about the extent to which such an accommodation is either needed or required.

Section 3. City management reserves the right to make ultimate determinations about the level of accommodation required by law, taking into account the legitimate needs and interests of the City.

CHAPTER 5.FIRE & POLICE DEPARTMENT PERSONNEL

Section 1. State civil service laws, as well as collective bargaining laws and contracts cover certain City employees in the Police and Fire Departments.

Section 2. Personnel management for members of the respective bargaining units are governed initially by applicable collective bargaining or meet and confer contract provisions (if any), by civil service statutes, by civil service rules and regulations, and by departmental rules and regulations and standard operating procedures, in that order.

- A. To the extent that a labor agreement has incorporated by reference provisions of this Manual, the applicable provisions shall be treated as forming a part of the labor agreement.

Section 3. Except as provided above, the provisions of this Personnel Manual shall apply in the absence of a provision, rule, regulation, or directive contained in any one or more of the foregoing instruments. To the extent that the provisions of this Personnel Manual supply the applicable rule, the provisions of this Manual shall be binding on civil service employees.

Section 4. Application and interpretation of the provisions of this manual are at the discretion of the City Manager and the respective department Director for the Fire and Police departments.

Section 5. Changes in Status between Civil Service and Civilian Employees. Civil service employees who are separated from their civil service position, for whatever reason, and who are hired in a civilian position shall be treated as newly hired employees for purposes of this Personnel Policy Manual. Similarly, civilian employees who are hired into a civil service status shall be treated as newly hired employees for purposes of their civil service and collective bargaining status.

- A. Employees who move in or out of civil service and civilian status should be aware that any accrued sick and annual leave that may exist at the time of the transfer in or out of each status will be processed as separation of employment and a new hire, as applicable.

CHAPTER 6. CATEGORIES OF EMPLOYEES

Section 1. Non-Civil Service Employees. As part of its personnel management, as well as for pay and benefit purposes, the City uses the following categories of Employees:

- A. **Regular Full-Time.** Employees are those who are scheduled to be at work a minimum of forty hours per week on a regular basis.
 - 1) these employees currently receive full benefits;
 - 2) paid time off categories of leave will accrue on a prorated basis, but may not be used during any probationary period.
- B. **Regular Part-Time.** Employees are those who are scheduled to be at work a maximum of nineteen (19) hours per week.
 - 1) These employees shall not receive any fringe benefit, except those required by law.
- C. **Temporary or Seasonal.** Employees who are expected to remain employed for only a limited period of time not to exceed 6 months or for a special task or project will be carried as Temporary Employees.
 - 1) These employees shall not receive any fringe benefit, except those required by law.

Section 2. Contract Personnel. Persons who render services to the City pursuant to a retainer agreement, a contract (verbal or in writing), or on a task or project basis, are not considered employees of the City and the provisions of this Personnel Manual do not apply to contract personnel.

Section 3. Charter Appointments. The provisions of this Manual shall apply to positions recognized in the City Charter that are appointed by the Board of Commissioners, and who are categorized as regular full-time employees; provided, however, that the appointing authority retains all power, rights, and privileges, recognized in law over such appointments.

CHAPTER 7. PROBATIONARY STATUS

Section 1. New Employees. All newly hired employees shall be carried on a probationary status for a period of six (6) months ~~one year~~ from the date of hire.

Section 2. Transferred Employees – Intra-departmental Transfers. Any existing employee who is transferred from one job position to another within the same department shall be carried on a probationary status for a period of three (3) months from the date of transfer.

Section 3. Transferred Employees – Inter-departmental Transfers. Any existing employee who is transferred from one job position to a position in a different department shall be carried on a probationary status for a period of three (3) six (6) months from the date of transfer.

Section 4. Transferred Employees do not have an entitlement to any specific pay or benefits connected to the former position held. Pay and benefits shall be determined by the job description of the job position and the qualifications of the employee relative to the job description.

Section 5. Employees who promote to management positions shall be carried on a probationary status for a period of three (3) six (6) months from the date of promotion.

Section 6. The probationary period is intended to allow both the employee and the employee's supervisors to evaluate the knowledge, skills, and abilities of the employee in the designated position.

Section 7. Within the orientation period the employee may request or will receive counseling, feedback and evaluations (verbal or in writing) with respect to job performance.

Section 8. A rehired or otherwise reinstated employee shall be treated as a new employee for purposes of probationary status.

Section 9. Annual Leave. During the time that an employee is on probationary status, that employee shall accrue, but shall not be entitled to utilize, any annual leave that accrues during the probationary period.

- A. This limitation on use of accrued leave shall apply only to newly hired or rehired employees, and those employees going from non-civil service to civil service or from civil service to non-civil service.

Section 10. Sick Leave. During the time that an employee is on probationary status, that employee shall accrue, and shall be allowed, to utilize accrued sick leave during probationary period. but shall not be entitled to utilize, any sick leave that accrues during the probationary period. A probationary employee who is out because of illness will be treated as being on leave without pay.

- A. ~~This rule applies to only newly hired or rehired non-FLSA exempt employees on probationary status. It does not apply to employees who have transferred.~~
- A. ~~FLSA exempt employees in a probationary status shall accrue, and shall be allowed, to utilize accrued sick leave during the probationary period.~~

Section 11. In addition, an employee on probationary status may not grieve or otherwise appeal any personnel decision or action taken against that employee.

CHAPTER 8.FLSA: EXEMPT AND NON-EXEMPT EMPLOYEES

Section 1. For purposes of determining the City's obligations, if any, to pay overtime rates as per federal law, all Employees are classified as either "exempt" or "non-exempt" in accordance with the guidelines established by federal law.

Section 2. "Exempt" Employees are those who are not subject to the overtime provisions of the Fair Labor Standards Act. Examples of exempt Employees are the City Manager, the City Clerk, all Department Directors, all, Assistant Department Directors and other positions that qualify as exempt under FLSA.

- A. The determination of who is exempt is based upon an Employee's actual job duties, so the examples given are not meant to be a complete list of exempt employees.
- B. Other positions, if they satisfy the criteria for being exempt under law, may also be categorized as exempt by City management.

Section 3. "Non-exempt" employees are those employees who are covered by the overtime provisions of the Fair Labor Standards Act, that is, employees who under FLSA standards are entitled to receive overtime pay under criteria set by federal law.

- A. Generally speaking, non-exempt employees who work over forty (40) hours per week are entitled to an overtime rate of pay, or compensatory time, in accordance with the FLSA.

- B. Paid time off, such as sick leave and annual leave, while compensated, does not count as productive time, that is, "work time" for purposes of calculating whether the City must pay an overtime rate of pay.
- C. City mandated training time will be considered as productive time, that is, "worked time" for purposes of calculating whether the City must pay an overtime rate of pay.

Section 4. Any overtime hours worked by non-exempt employees must be approved by the employee's department Director or designee. Non-approved overtime work shall be compensated, as required by law, but may serve as grounds for discipline, as allowed by law, for failure to abide by this overtime approval policy.

CHAPTER 9.RESIDENCE REQUIREMENTS

Section 1. City employees are not required to reside in the Continental United States, and are not required to live within the City of Pharr city limits.

Section 2. Employees likely to be called back to work in cases of emergency may be required to reside within reasonable commuting ranges of their places of work assignments.

Section 3. The City is not responsible for any travel costs incurred in commuting to and from work or duty stations when coming on or off of duty.

CHAPTER 10.NEPOTISM POLICY: STATE LAW

Section 1. Baseline Policy: State Law. As an initial matter, the City's nepotism policy shall comply with any and all requirements imposed by state law, and applicable state law is hereby incorporated by reference. Therefore, with respect to City's public officials, the City's baseline nepotism policy is governed by Chapter 573 of the Texas Gov't Code, which is hereby incorporated by reference.

Section 2. For purposes of this policy, a "public official" is defined as:

- A. an officer of this municipality; an officer for purposes of this definition includes the following:
 - 1) any elected official of the Board of Commissioners; and,
 - 2) the City Manager.

Section 3. Relationships Covered By Nepotism under State Law. Consistent with the provisions of Chapter 573, Texas Gov't Code, as well as the self-imposed nepotism restrictions adopted by this policy, this policy applies to relationships within the third degree by consanguinity or within the second degree by affinity, as those terms are defined in Chapter 573, Tex. Gov't Code, as amended.

Section 4. Prohibition Applicable to Public Officials. A public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a regular position that is to be directly or indirectly compensated from public funds or fees of office if:

- 1) The individual is related to the public official within a degree described by Section 573.002 of the Texas Government Code; or
- 2) The public official holds the appointment or confirmation authority as a member of a local board and the individual is related to another member of that board, within a degree described by Section 573.002.

Section 5. Board of Commissioners as Public Officials. As applied to the Board of Commissioners, the state law nepotism prohibitions apply to the following appointed positions under the City Charter, specifically:

- A. The appointment of municipal officers and other management personnel, specifically:
 - 1) the City Manager;
 - 2) the City Attorney;
 - 3) the City Clerk and Assistant City Clerk;
 - 4) the City Auditor; and,
 - 5) the Municipal Judge(s).
- B. The appointment of any boards, panels, committees recognized under the City Charter and who would be directly or indirectly compensated from public funds or fees.

Section 6. Appointed Officers as Public Officials. As applied to appointed officers of the City who meets the definition of public official, the state law prohibitions on nepotism also applies to the appointed officers set forth above.

Section 7. City's Self-Imposed Nepotism Policy. The City also has the authority to adopt and impose a nepotism policy that goes beyond what state law otherwise prohibits. This policy applies to all regular full-time and regular part-time employees only.

Section 8. Definitions. For purposes of this self-imposed nepotism policy, the following definitions shall apply:

- A. "Relative" means any person related within the third degree by consanguinity or within the second degree by affinity as defined by state law.
- B. "Department Director" is defined as a supervisory position with responsibility over the operations of any division of services identified in the City's organizational structure.

- C. "Technical Violation" is an employee appointment that is in actual violation of the affirmative restrictions stated in this policy.
- D. "Apparent Violation" is an employee relationship that is not in actual violation of the provisions of this policy, but which creates an appearance of impropriety or favoritism that is disruptive to the operations of a department.

Section 9. For purposes of this nepotism policy, the following individuals are not eligible for regular full-time employment with the City of Pharr:

- A. Elected Officials of the City, that is, the Mayor and Members of the City Commission;
- B. Relatives of any elected official;
- C. Relatives of the City Manager;
- D. Relatives of any Department Director if that relative falls anywhere within the chain of supervision for that Department Director under the City's organizational structure.

Section 10. Grandfathering & Other Exceptions. The foregoing nepotism prohibition prescribed does not apply to an appointment, confirmation of an appointment, or vote for an appointment or confirmation of an appointment of an individual to a position if:

- A. the individual is employed in the position before the election or appointment of the public official to whom the individual is related in a prohibited degree; and,
- B. that prior employment of the individual is continuous for at least:
 - 1) Thirty (30) days, if the public official is appointed;
 - 2) Six (6) months, if the public official is elected at an election other than the general election for state and county officers; or,
 - 3) One year, if the public official is elected at the general election for state and county officers.
- C. If an individual continues in a position, the public official to whom the individual is related in a prohibited degree may not participate in any deliberation or voting on the appointment, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, or dismissal of the individual if that action applies only to the individual and is not taken regarding a bona fide class or category of employees.
- D. Any subsequent changes to the continuous employment exceptions in Chapter 573 of the Texas Gov't Code will control over this policy.

Section 11. Creation of a Nepotism Relationship. If a prohibited nepotism relationship is created by marriage, adoption, or by operation of law or fact, the individual to whom the public official is related in a prohibited degree shall be separated from employment as a non-disciplinary separation.

Section 12. Construction & Authority. The City Manager reserves and retains the right to act upon and resolve on a case by case basis familial relationship issues within the City's personnel workforce that do not in fact violate this policy, but which may create an appearance of favoritism or impropriety.

Section 13. Further, Department Director shall have the authority, subject to City Manager review, to manage assignments between and amongst employees within the Department when there exists an apparent, but not an actual, violation of this policy.

Section 14. Civil Service Employees. This policy shall not apply to the City's civil service employees, unless required by law.

CHAPTER 11. NON-PROFESSIONAL EMPLOYEE RELATIONSHIPS

Section 1. Purpose. The following restrictions are adopted in response to the City of Pharr's continual mission to provide its employees with a discrimination-free work environment and to further promote the longstanding professional interaction between the City of Pharr employees and the general public.

Section 2. Managerial Staff and Subordinate Employees. Any City employee who operates in a managerial capacity should not engage in any form of non-professional relationship with a subordinate employee within the same department, regardless of whether the two employees work in the same or different departments. In the event of such relationship and depending upon the nature of the situation, one or both employees may be subject to disciplinary action, up to and potentially including termination of employment. All employees, especially managers, are reminded that the qualities of good judgment, discretion, and compliance with guidelines are all taken into account when considering future advancement opportunities and salary increases.

Section 3. Relationships between Employees of the same level. Depending on the circumstances, some forms of non-professional relationships between employees of the same level may be appropriate. However, if a relationship or social activity between two or more employees of the same level:

- A. Has the potential or effect of involving the employees, their coworkers, or the company in any kind of dispute or conflict with other employees or third parties;
- B. Interferes with the work of any employee;

- C. Creates a harassing, demeaning, or hostile working environment for any employee;
- D. Disrupts the smooth and orderly flow of work within the office, or the delivery of services to the residents of the City of Pharr, or in the community at large;
- E. Harms the goodwill and reputation of the City of Pharr among its residents or in the community at large; or
- F. Tends to place in doubt the reliability, trustworthiness, or sound judgment of the persons involved in the relationship, the employee(s) responsible for such problems will be subject to disciplinary action, up to and potentially including termination of employment, depending on the circumstances.

Section 4. City Equipment and Facilities. No employee may use City equipment or facilities for furtherance of non-work-related activities or relationships without the express advance written permission of the City Manager. Employee(s) who violate this rule will be subject to disciplinary action, up to and potentially including termination of employment, depending on the circumstances.

Section 5. Questionable Conduct. Employees who conduct themselves in such a way that their actions and relationships with each other become the object of gossip among other employees of the City of Pharr, or cause unfavorable publicity in the community, should be concerned that their conduct may be inconsistent with one or more of the above guidelines. In such a situation, the employees involved should request guidance from the Human Resources department to discuss the possibility of a resolution that would avoid such problems. Depending upon the circumstances, failure to seek such guidance or resolve the problem may subject the employee(s) to disciplinary action, up to and potentially including termination of employment.

Section 6. Grandfathering & Other Exceptions. Employees should take note that not all relationships will qualify for an exception. However, at the City Manager's discretion and depending upon the circumstances, certain employees may not be subject to the above restrictions if:

- A. The employees non-professional relationship(s) are disclosed to the Human Resources department within a timely manner after the adoption of this ordinance; and
- B. There is no prior history of the employees violating any of the above restrictions outlined in Section 3 of this chapter.

If the grandfathered non-professional relationship(s) subsequently violate the restrictions outlined in Section 3 of this chapter, the employees can be subject to disciplinary action, up to and potentially including termination of employment, depending on the circumstances.

CHAPTER 12. REHIRE & NO REHIRE POLICY

Section 1. The City may, in its sole discretion rehire a former employee if the former employee is qualified to perform the duties of a particular position.

Section 2. Applicants ineligible for rehire as a matter of standing City policy is any former employee who meets one or more of the following conditions:

- A. Who was terminated for disciplinary violations; or,
- B. Who resigned while under investigation for misconduct; or,
- C. Who left employment other than in good standing at the time of separation of employment.
 - 1) The determination of good standing at the time of separation shall be made by the City Manager at the time of re-application.

CHAPTER 13. APPOINTMENTS TO JOB POSITIONS

Section 1. Appointments shall be made based on the qualifications of applicants as ascertained through fair and practical selection methods, which may include testing of job knowledge, skills and abilities.

Section 2. The City reserves the authority to require clearance on background checks, physical, medical, and psychological examination, including a drug screening, in connection with any particular position.

Section 3. Applicants to be eligible for employment must also be in compliance with state and federal law.

Section 4. The City reserves the right to determine whether a job applicant is fit for the appointment to any particular position.

CHAPTER 14. PERSONNEL RECORDS

Section 1. An employee's personnel records belong to the City of Pharr and not to the employee. An employee may request copies of his or her records, subject to the provisions of the Open Records Act and the customary copy charges.

Section 2. An employee has the privilege of inspecting his or her official personnel file, upon written request made to the department Director or other designated personnel officer. Review and inspection of an employee's personnel file shall be under the supervision of the department Director or personnel officer or designee.

Section 3. An employee must have on file a signed and executed Personnel Manual Acknowledgment Form, which may be obtained from the Personnel Officer or designee. Also, see Exhibit "A" to this Manual.

Section 4. An employee must have on file a signed and executed Public Access Option Form, which may be obtained from the Personnel Officer or designee. Also, see Exhibit “B” to this Manual.

Section 5. An employee must have on file a Wage Deduction Form, which may be obtained from the Personnel Officer or designee. Also, see Exhibit “C” to this Manual.

CHAPTER 15. CHANGES IN EMPLOYEE PERSONAL DATA

Section 1. Each employee is responsible for notifying his or her department Director and/or the personnel officer in writing, about the following subject matter:

- A. Change of address, whether it be mailing or residential;
- B. Change of phone number, whether it be listed or unlisted;
- C. Change in marital status or in number of dependents to the extent that such change impacts health insurance coverage and income tax withholding;
- D. Change of beneficiary for life insurance and retirement benefits;
- E. Change in banking information that could impact direct deposit account on file.
- F. Any additional schooling, training, certificates or degrees earned during the course of employment;
- G. Any changes in social security or driver’s license numbers;
- H. Any arrest for any offense other than a minor traffic offense.

Section 2. Public Access Option Form. Employees should also fill out a form related to the exercise of their option regarding whether they want certain personal data contained in their personnel file to be excluded from disclosure in response to any request for information filed with the City under the Texas Public Information Act Request.

- A. The appropriate form is attached as an exhibit to this Manual. It should be copied, filled out, and turned in to the Personnel Officer or designee.

CHAPTER 16. HOURS OF WORK; WORK CYCLES

Section 1. The City’s basic work schedule shall coincide with the established hours of business, which runs from Monday through Friday, starting at 8:00 o’clock AM through 5:00 o’clock PM and shall be a core workweek of forty (40) hours.

Section 2. Depending on the purposes and function of each department, the City, acting through its management personnel (City Manager and

Department Director), may establish work schedules that provide for City services outside of the usual business cycle on an as needed basis, but shall generally adhere to a forty hour work period.

Section 3. Lunch breaks, rest stops, and any other such breaks shall be established by the management personnel on an as needed basis.

CHPATER 17. TIME-KEEPING & PAYROLL RECORDS

Section 1. All employees are required to accurately and timely record their hours of work for payroll purposes via the time keeping system in place. This must include any hours that would qualify for overtime pay or compensatory time.

- A. All non-exempt employees are required four (4) punches a day.
- B. All exempt employees are required one (1) four (4) punches a day. ~~with the exception of Department Directors and Assistant Directors.~~
- C. All exempt employees ~~Department Directors and Assistant Directors~~ are required to clock in immediately upon arrival to work.

Section 2. Time records are official government records that involve the expenditure of public funds. Therefore, they must be maintained accurately and truthfully. Improper or illegal alteration or mutilation of City personnel records can lead to disciplinary action or even criminal liability exposure.

Section 3. The City retains the unilateral authority to alter or change its pay cycles at any time, but would give advance notice of such a change before it would be implemented.

Section 4. If an employee is absent from work on payday and wants someone to pick up his or her paycheck stub, such person must be designated by the employee on a duly designated form before a paycheck, or paycheck stub, will be released to anyone other than the employee.

Section 5. Voluntary deductions authorized by the employee may include payments for health insurance premiums, credit union, personal insurance premiums, etc. Details for voluntary deductions should be requested from the department Director or the personnel officer.

Section 6. All employees will be paid via direct deposit, with the exception of final paycheck.

CHAPTER 18. SALARY, WAGES, BENEFITS

Section 1. Authority of Board of Commissioners. The final determination of applicable salary, wages, and benefits, shall be made by the Board of Commissioners as part of its authority to manage the City's fiscal budget.

Section 2. Staffing Levels & Authorized Positions. Similarly, the final determination of the staffing levels and/or number of positions to be authorized shall be made by the Board of Commissioners as part of its authority to manage the City's fiscal budget.

Section 3. Compensation Package. The Board of Commissioners, shall determine the form and nature of the compensation package for authorized positions, including but not limited to categories of pay such as salary, wages, seniority pay, education pay, certification pay, and any and all other categories of pay that the City Commission authorizes by separate action.

Section 4. Benefits Package. The Board of Commissioners shall determine the form and nature of the benefits package for City employees, including but not limited to health insurance, workers' compensation insurance, various categories of paid time off such as holidays, annual days, sick leave, retirement, and other such benefits that may be authorized by separate City Commission action.

Section 5. The terms, conditions, and details of the foregoing pay and benefits package shall be set by separate action as may be taken from time to time by the Board of Commissioners.

CHAPTER 19. OVERTIME WORK & PAY

Section 1. In any department, overtime will be authorized or directed only when it is in the interest of the City and is the most practicable and economical way of meeting workloads and deadlines.

Section 2. All overtime must be authorized by the department Director prior to a non-exempt employee actually working overtime, except in cases of emergency. Unauthorized overtime will be paid, as required by law, but failure to secure prior approval of overtime compensation may subject the employee to disciplinary action, up to and including termination.

Section 3. Non-exempt City employees entitled to overtime pay will be paid one and one-half (1 1/2) times their regular hourly rate for all hours worked in excess of forty (40) within a work period.

Section 4. Holidays, annual time, sick leave, jury duty, military leave, and other absences from productive work will not be counted as time worked for purpose of overtime pay computations under FLSA.

Section 5. The accrual of overtime by the City of Pharr FLSA NON-EXEMPT personnel is allowed when, in the judgment of the employee's Department Director, overtime is necessary.

Section 6. Department Directors will be held accountable to upper management for excessive overtime liabilities incurred within their department.

CHAPTER 20. COMPENSATORY TIME (FLSA)

Section 1. Compensatory time (comp time), like any overtime, must be pre-approved by the department Director or designated representative. Failure to secure pre-approval may be grounds for disciplinary action.

Section 2. Comp time will be credited at the rate of one and one-half (1 1/2) hours for each overtime hour worked in accordance with FLSA standards.

Section 3. Employees may request, or the department Director may require, use comp time off if such use does not unduly disrupt the operations of the department affected.

Section 4. Employees may be required to use comp time prior to using any other form of paid leave.

Section 5. Compensatory time may not be transferred from one employee to another.

Section 6. Department Directors are authorized to allow a FLSA NON-EXEMPT employee to accrue up to forty (40) hours of Compensatory Time, in lieu of overtime pay.

Section 7. In the event an employee exceeds the (40) hour cap, overtime must be paid in accordance with federal law standards.

Section 8. Upon termination of employment, a non-exempt employee will be paid for unused compensatory time earned in accordance with federal law standards.

CHAPTER 21. STANDBY TIME

Section 1. Standby compensation is the amount of money paid to non-exempt non-civil service employees who are specifically required to be available by phone, electronic pager or other means of communication to respond to various job assignments after regular work hours.

Section 2. City employees required to be on standby shall be compensated in accordance with the minimum standards required by state or federal law, in an amount to be set by administrative directive. Employees on standby status shall take the necessary steps to be fit for duty as if they were on regular duty.

Section 3. Hours spent on standby is not regarded as working time but is defined as that period of time an employee is required to be available for work within thirty (30) minutes from time of notification and requires the employee to leave word at his or her home where he or she can be reached.

Section 4. If the employee on standby is called in to work, the time sheet on the assignment shall be treated as "hours worked" and shall be in addition to the standby rate provided for in this section.

Section 5. Rosters indicating standby assignments shall be posted at least twenty-four hours prior to the anticipated requirement of standby status when

possible. Compensatory standby time during the week begins one minute after the employee's regular workday ends and continues until he returns to work on the next day or the employee is otherwise advised.

Section 6. On weekends or holidays compensatory standby times begins one minute after the employees' regular workday ends and continues until his next regular scheduled workday begins or is otherwise advised.

Section 7. Only those employees eligible for overtime compensation shall be eligible for standby compensation. Standby time shall not be considered hours worked for purposes of calculating overtime.

CHAPTER 22. PAID TIME OFF: GENERAL PROVISIONS

Section 1. Paid time off involves the use by an employee of time that is compensated, but not actually worked. Annual leave and sick leave are the best examples of paid time off, as well as compensatory leave time.

Section 2. Workers' compensation injury leave is not treated as paid time off and qualifies as its own category of leave. Employees who are on workers' comp injury leave are treated as being on unpaid leave.

Section 3. Paid time off shall not qualify as "working time" for purposes of calculating whether an employee is entitled to overtime pay within any given pay cycle.

Section 4. Employees who are using paid time off shall continue to accrue benefits, such as sick leave and annual leave, as if they were at work. By the same token, employees absent from work without pay for at least eighty (80) hours in that month, i.e., unpaid leave, shall not accrue additional paid time off, except as otherwise provided in this policy.

CHAPTER 23. PAID TIME OFF: HOLIDAYS

Section 1. As of the adoption of this Manual, the recognized City holidays for the City's regular and part-time employees are the following:

- 1) New Year's Day (January 1st);
- 2) Good Friday (Friday before Easter);
- 3) Memorial Day (last Monday in May);
- 4) Independence Day (July 4th);
- 5) Labor Day (1st Monday in September);
- 6) Veteran's Day (November 11th);
- 7) Thanksgiving Day (4th Thursday in November);
- 8) Thanksgiving Friday;

- 9) Christmas Eve (December 24th);
- 10) Christmas Day (December 25th)
- 11) New Year's Eve (December 31st)

Section 2. Holiday Pay. Holiday pay, consisting of one eight (8) hour shift per holiday, shall be paid at the qualifying employee's regular rate of pay in the payroll period following the holiday in question, regardless of whether the employee in fact works on the recognized holiday.

- A. Holiday pay hours do not count as "time worked" for purposes of calculation of the City's FLSA overtime obligations, if any.

Section 3. Premium Holiday Pay for Hours Worked on Holiday. FLSA non-exempt employees who actually work on a holiday specified above shall, ***in addition to their holiday pay***, be compensated premium pay at time and a half for hours actually worked on the designated holiday, regardless of whether the FLSA hours worked requirement is satisfied.

- A. The intention behind this provision is to provide a premium holiday pay to those employees ***who in fact work during a holiday period***; and who are not able to take the holiday off from work.
- B. For purposes of applying this premium holiday pay provision, a holiday period shall run from midnight to midnight on the date of the actual or the recognized holiday.
- C. For those employees who work a standard work-week schedule from Monday through Friday, if an approved holiday falls on a Saturday, the previous Friday shall be considered to be the holiday period. If a scheduled holiday falls on a Sunday, the next Monday shall be considered to be the holiday period.
- D. For those employees who work a non-standard shift other than Monday through Friday, the scheduled holiday shall be the actual date of the holiday.
- E. In addition, an employee scheduled to work on an actual or a recognized holiday who does not in fact work but instead legitimately utilizes some form of paid or unpaid time off, such as sick leave or annual leave or admin leave without pay, on the holiday in question, shall not receive premium holiday pay.
- F. **FLSA Overtime.** If an employee who actually works on a holiday who would otherwise be entitled to receive overtime pay pursuant to the Federal Labor Standards Act ***for hours worked in excess of forty (40) within a work-week***, that employee shall receive pay at the rate of time and one-half for any qualifying hours that federal law would otherwise require to be paid at an overtime rate of time and a half.

Section 4. Sick Leave Utilization & Holiday. An employee who utilizes sick leave on a working day immediately prior to and/or following a recognized holiday shall automatically forfeit holiday pay as well as pay for the other day or days missed, unless the utilization of sick leave is corroborated or excused by a health care provider in writing and submitted within the same pay period of the Holiday in question.

Section 5. The Board of Commissioners retains the right to make modifications and adjustments to recognized holidays and related compensation.

CHAPTER 24. PAID TIME OFF: ANNUAL LEAVE

Section 1. Full time employees accrue annual leave based on the number of years of full time employment with the City in accordance with the following chart:

Years of Employment	Pro-Rata Accrual Rate per Month
0-19 Years	10 hours (15 days per year)
20 & over	13.33 hours (20 days per year)

Section 2. Only regular full-time employees accrue annual leave. All other categories of employees do not accrue annual leave.

Section 3. Employees may accumulate no more than a maximum of two years allotment of annual leave as set above.

Section 4. ~~This restriction shall not apply to FLSA exempt management employees hired on or before December 31, 2015, whose annual leave shall be managed by the City Manager.~~

Comment [AC1]: As per City Manager all employees should be treated the same when it comes to accruals.

Section 4. Employees, who upon the adoption of this Personnel Manual, have already accumulated annual leave in excess of the maximum accumulated leave specified above, shall not lose that accumulated leave, but no additional leave shall accrue unless and until the annual leave account falls below the maximum amount stated above.

Section 5. ~~This restriction shall not apply to FLSA exempt management employees, hired on or before December 31, 2015, whose annual leave utilization shall be managed by the City Manager.~~

Comment [AC2]: As per City Manager all employees should be treated the same when it comes to accruals.

Section 5. Annual leave will be administered as follows:

- A. Annual leave will be credited on a pro-rata basis using the date of hire of each employee.
- B. Annual leave may be used and shall be charged in one (1) hour increments for all employees.
 - 1) The City Manager is authorized to modify the increments charged if such is necessary as a matter of administrative discretion. Any modification shall be done by a city-wide administrative directive.
- C. Annual leave may not be transferred between employees, unless any such leave donations is specifically authorized by the City Manager.
- D. Department Directors are authorized to schedule and approve annual leave giving due consideration to the staffing needs of the City and the interest of the employees.
- E. Employees on annual leave are subject to be recalled to duty if in the discretion of City management the staffing needs of the City warrant such a recall.

Section 6. Except as otherwise provided in this Manual, employees shall be paid their accrued annual leave.

Section 7. Accrued annual leave that is paid at the time of separation of employment will be paid at the permanent rate of pay of the individual employee.

CHAPTER 25. BEREAVEMENT LEAVE.

Section 1. An employee shall have three (3) working days of bereavement leave per calendar year.

- A. Bereavement leave may be used and shall be charged in one (1) hour increments for all employees.

Section 2. Bereavement leave shall be allowed when there is a death in the immediate family.

- A. "Immediate family" for bereavement purpose is defined as: spouse, son, daughter, parents, grandparents, brother, sister, parents-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandson or granddaughter, great grandparents, great grandchildren, uncles, aunts, nephews and nieces, first cousins and anyone who actually resides in the household of the employee and is dependent on the employee for support. Exceptions for family relations not identified in this list may be granted by the City Manager on a case-by-case basis.
- B. Bereavement leave is for the purpose of attending funerals, making arrangements, or otherwise attending the affairs of the

deceased. An employee may be requested to provide a copy of the obituary, or related documentation to validate the necessity of the absence.

Section 3. If additional leave for bereavement purposes is required, the employee may use annual leave or, if approved, leave without pay. Sick leave shall not be allowed for bereavement leave purposes.

Section 4. Temporary employees and part-time employees are not eligible for bereavement leave.

CHAPTER 26. PAID TIME OFF: SICK LEAVE

Section 1. General Policy. It is the policy of the City to grant sick leave with pay to eligible employees for the purpose of a bona fide illness of the employee. Use of sick leave for unauthorized purposes will be considered an abuse of sick leave and can subject an employee to disciplinary action up to and including termination.

Section 2. Sick leave accrual for eligible employees will be earned pro-rata at the rate of 10 hours per month of active employment.

Section 3. Sick leave will begin accruing on the date of initial employment for eligible employees.

Section 4. An employee must notify their Department Director or immediate supervisor upon learning that sick leave will be used. An employee is expected to provide as much advance notice as possible. Failure to do so is grounds for disciplinary action including dismissal.

A. Department Director may impose additional notification requirements peculiar to the needs of that Department.

Section 5. Accrual Policy. Sick leave may be accumulated without limitation, subject, however to the other limitations contained in this provision and this Manual.

A. An employee out on sick leave who is unable or unwilling to return to work for a period of **270 calendar days** shall be separated from employment as a non-disciplinary separation.

Section 6. The **270 calendar day** period will not be treated as being broken if management determines that efforts to return to work are not made in good faith or appear to be for the purpose of re-triggering or otherwise circumventing the time period contained in this provision.

A. In other words, insubstantial appearances at work during the stated period that are determined by City management personnel to be made for the purpose of breaking the continuity of the period and side-stepping the purpose of this rule, shall not qualify as a break in the stated period.

Section 7. An employee on sick leave who uses up all accrued sick leave benefits may request annual leave and/or family and medical leave without pay.

Section 8. Sick leave shall be administered as follows:

- A. Sick leave will be credited pro-rata on the anniversary date of hire of each employee.
- B. Sick leave utilization for all eligible employees shall be charged in one (1) hour increments.
 - 1) The City Manager is authorized to modify the increments charged if such is necessary as a matter of administrative discretion. Any modification shall be done by a city-wide administrative directive.

Section 9. Sick Leave Abuse. City management may request and obtain verification of the circumstances surrounding use of sick leave from the employee at any time that sick leave is used, including but not limited to the requiring a presentation of a note from a recognized health care provider in connection with the utilization of sick leave time.

Section 10. An employee returning to work after taking sick leave in excess of two (2) working days shall submit a statement signed by a health care provider corroborating the legitimate utilization of sick leave by the employee within the same pay period of the absences in question.

Section 11. Further, an employee who utilizes sick leave on a working day immediately prior to and/or following a recognized holiday shall automatically forfeit holiday pay as well as pay for the other day or days missed, unless the utilization of sick leave is corroborated or excused by a health care provider in writing and submitted within the same pay period of the Holiday in question.

CHAPTER 27. SICK LEAVE PAY-OUT

Section 1. Sick leave shall be paid out in accordance with the following conditions:

- A. **Upon Retirement.** If an employee retires from the City in good standing pursuant to the Texas Municipal Retirement System guidelines, and the employee upon retiring has worked the last ten (10) years consecutively with the City of Pharr, then that employee will be paid for accrued sick leave in the amount of ninety (90) work days, plus one hour for every two hours in excess of 90 days.
- B. Employees, who separate from employment prior to retirement, whether voluntarily or involuntarily, will not receive sick leave pay out.
- C. In the event a City employee dies, whether on or off duty, with accumulated sick leave, payment for such accumulated sick leave shall be equivalent to that of an employee who retired in good

standing (provided that the ten (10) year requirement is stated above would not apply) and any pay-out shall be to the persons in the first applicable category:

- 1) To the employee's beneficiary as designated in writing;
- 2) To the employee's widow or widower;
- 3) To the employee's child or children;
- 4) To the employee's parent or parents or their survivors;
or
- 5) To the employee's properly appointed legal representative of the employee's estate.

Section 2. Accrued sick leave that is paid at the time of retirement of employment will be paid at the permanent rate of pay of the individual employee.

CHAPTER 28. ANNUAL LEAVE TO SICK LEAVE DONATION

Section 1. The City shall allow its employees the ability to donate accrued annual leave time for the benefit of another employee as sick leave as specified in this policy, once that employee's leave balances have been exhausted.

Section 2. All other paid leave of the employee receiving a donation must be exhausted before a donation of annual leave by another employee will be considered.

Section 3. Annual leave to sick leave donations may be implemented by a written request of a donating employee to the City Manager, specifying the amount of annual leave to be donated and the employee to whom the converted leave is being donated.

Section 4. Whether an annual leave to sick leave donation will be allowed, and the extent to which it is allowed in any particular case, shall fall within the sole and exclusive discretion of the City Manager.

Section 5. A donating employee who elects to donate accrued annual leave to be converted to sick leave for another employee shall have his or her annual leave accounted reduced by the amount of the donation. Donations shall be in increments of no less than eight (8) hours.

Section 6. Donated annual leave may not be taken back or otherwise returned to the donating employee. Donated annual leave, once donated, cannot be rescinded.

Section 7. Donated leave will be paid based on the hourly rate of the person receiving the donated hours

CHAPTER 29. WORKERS' COMPENSATION INJURY LEAVE

Section 1. The City is a subscriber under the Workers' Compensation Act. As such, the full benefits of the workers' compensation laws apply to City employees.

Section 2. The City is committed to an anti-retaliation policy to protect employees who properly invoke the provisions of the workers' compensation laws.

Section 3. Employees who are on workers' comp injury leave shall be receive the benefits provided for by law and that employee shall continue to hold a budgeted position with the City; provided, however, that such leave will be treated as unpaid leave.

- A. An employee on workers' comp leave shall not accrue sick or annual leave during the period that the employee is on workers' comp leave.
- B. An employee on workers' comp leave shall have the usual payments and deductions for insurances allowable to active employees, subject to appropriate deductions.

Section 4. Employees on workers' comp leave shall be entitled to receive full salary continuation by utilization of accrued paid leave (comp time (if any), sick leave, and annual leave) in this order. To implement this provision, workers' compensation checks must first be delivered or signed over to the City. An employee who exhausts all paid time off benefits shall receive only those benefits provided under workers' compensation plan.

Section 5. Section 4 – When an employee is out of work due to an injury while on the job, that employee may utilize his or her sick leave for the amount of time they are out of work (no more than 7 calendar days) for salary continuation purposes. If the employee is out of work for less than seven calendar days, their sick leave is not adjusted. If the employee is out of work more than seven calendar days, 70% of their sick leave will be returned to them and workers compensation insurance will compensate them up to 70%.

Section 6. An employee who is on workers' comp injury leave for a period of **270 calendar days** and who is unable within this period of time to return to work and perform the core duties of their position, and cannot be reasonably accommodated as required by law, will be terminated from their position of employment as a non-disciplinary separation.

Section 7. The **270 calendar day's** period will not be treated as being broken if management determines that efforts to return to work are not made in good faith or appear to be for the purpose of re-triggering or otherwise circumventing the time period contained in this provision.

- A. In other words, insubstantial appearances at work during the stated period that are determined by City management personnel to be made for the purpose of breaking the continuity of the period and side-stepping the purpose of this rule, shall not qualify as a break in the stated period.

Section 8. A non-disciplinary separation of employment under this provision is subject to an administrative appellate review if properly invoked by the employee in accordance with appeal procedures contained in this Manual.

CHAPTER 30. FAMILY AND MEDICAL LEAVE ACT (FMLA).

Section 1. The City is committed to implementation of the Family Medical Leave Act ("FMLA") to the fullest extent required by law.

Section 2. Invocation of FMLA should be done in accordance with procedures outlined in this Manual.

Section 3. The City's eligible employees are entitled to all leave, paid or unpaid, required by the Family and Medical Leave Act. FMLA leave shall qualify only under the following reasons, as defined by FMLA:

- A. To care for your child after birth, or placement for adoption or foster care;
- B. To care for your spouse, son, daughter, or parent, who has a serious health condition; or
- C. For a serious health condition that makes an employee unable to perform his or her job.
- D. Because of a qualifying exigency arising out of the fact that a spouse, child, or parent is on active duty or called to active duty for the National Guard or Reserves
- E. Because the employee is a spouse, child, parent, or next of kin of a covered service member with a serious injury or illness.

Section 4. FMLA leave for the birth, adoption, or placement of a child must be used within one year of the date of birth or placement.

Section 5. Qualifying FMLA leave will be paid leave if the employee has accrued paid time off, such as sick leave, annual leave, or compensatory time.

Section 6. Paid leave will be used concurrently with qualifying FMLA leave, and will be utilized in the following order:

- A. compensatory time;
- B. sick leave;
- C. annual leave.

Section 7. FMLA leave shall also be run concurrently with workers' comp injury leave, if the conditions for FMLA leave eligibility are met.

Section 8. If the accrued paid leave is not sufficient to cover the qualifying FMLA leave absence, the employee will go on unpaid leave status until the FMLA period is satisfied.

Section 9. Employee Request for FMLA Leave. Employees wishing to take FMLA leave must submit an Application for FMLA leave to their department Director as soon as possible prior to taking FMLA leave. If submission prior to taking leave it is not possible, the Application must be submitted as soon as possible after commencement of FMLA leave. Applications are available from your department Director or from the personnel officer.

Section 10. The City requires medical certification to support a request for leave due to a serious health condition and may require additional medical opinions at the City's expense. If an employee fails to provide the required notice and medical certification, the City may deny the request for FMLA leave. An employee may also be required to furnish periodic reports on his or her status while on FMLA leave and of his or her intent to return to work.

Section 11. City Required FMLA Leave. When in the opinion of an employee's department Director, an employee's health is in such condition as to prevent the employee from performing assigned duties or as to present a significant health risk to other persons with whom the employee has contact in the course of the employee's job performance, an employee may, under the appropriate circumstances, be required to take FMLA leave. Such leave may be paid or unpaid, depending on the circumstances.

Section 12. Maintenance of City Benefits. The City will maintain the employee's health insurance coverage under the City's Group health plan while an employee is on FMLA leave on the same terms and conditions as for active employees.

Section 13. If deductions are being made from an employee's paycheck for health insurance for insured persons other than the employee, it is the Employee's responsibility to make arrangements to see that the premium payments continue to be made while the employee is on unpaid FMLA leave.

Section 14. When an employee returns to work from a FMLA leave status attributable to their own qualifying health condition, he or she must present a Fitness for Duty Report from a health care provider to the department Director or to the personnel officer. The employee will then be restored to the employee's former employment status to the extent required by the FMLA.

Section 15. An employee who is unable or unwilling to return to work after FMLA leave is completed or to present a fitness for duty report is subject to discipline and / or non-disciplinary suspension or separation, as the circumstances require.

CHAPTER 31. JURY DUTY & COURT PROCEEDINGS

Section 1. Employees who are placed under compulsory jury duty before any court of law will be excused from work with pay; provided, however, those

employees receiving a notice of jury summons notify their supervisor as soon as possible.

Section 2. All jury duty must be verified by appropriate documentation. Employees who serve on a jury during regular working hours must immediately report to their supervisor when excused or released by the court with documentation verifying attendance to jury duty.

Section 3. If an employee does not report to work when excused or released by the court, the employee may not be paid for unexcused time off and may be subject to disciplinary action for failure to report to work.

Section 4. Witness Subpoenas. Employees subjected to court ordered subpoenas during working hours must notify supervisors of the subpoena and make arrangements with their supervisors to comply with the subpoena. Supervisors shall determine whether to allow work time or other time off (paid or unpaid, but not sick leave) to comply with the subpoena.

Section 5. In situations where an employee is involved in their personal proceeding, that employee must request and receive leave from work and must either go on unpaid leave or use their accrued annual leave.

CHAPTER 32. MILITARY LEAVE

Section 1. Employees who enter or are called to active duty with the armed forces of the United States or the Texas National Guard will be granted leave as required by law.

Section 2. Employees, who enlist, are inducted, or recalled to active military duty, shall provide to the department Director deployment orders or official notification.

Section 3. Employees on active military leave shall go on an unpaid leave status. Paid time off accruals, such as sick and annual leave shall continue to accrue so long as the active duty status is less than ninety (90) calendar days and stop if active duty is more than ninety (90) days.

Section 4. Paid time off accruals shall be abated if it appears that an employee will be on an active duty status greater than ninety (90) days. Health and insurance benefits shall continue to be provided, except that an employee must make arrangement to pay for those portions of benefits for which the employee is responsible through deductions.

Section 5. Employees returning from military leave will be entitled to such employment status and such benefits of their employment as required by state or federal law.

Section 6. All military training & deployment leave is based on a fiscal year basis.

CHAPTER 33. VOTING LEAVE.

Section 1. Employees may be allowed to use up to one (1) hour of administrative leave during duty time for the purpose of voting in local, state, and federal elections for political office, subject to the operational and staffing needs of the department.

CHAPTER 34. ADMINISTRATIVE LEAVE; PAID OR UNPAID

Section 1. In addition to the foregoing types of leave, the City Manager or any department Director may place an employee on administrative leave at their supervisory discretion when circumstances call for such a measure.

Section 2. Administrative leave may be paid, or unpaid, but paid leave under this provision shall generally be allowed only when further investigation into a contested matter is required before appropriate personnel action can be determined.

- A. If administrative leave with pay exceeds more than thirty (30) days, the employee will automatically move to an unpaid leave status.
- B. An employee on unpaid leave status may, upon written request and approval, utilize accrued paid time off in the form of comp time or annual time so as to continue to receive pay and benefits. Accrued sick leave may not be used for salary continuation purposes.

Section 3. Granting an employee a leave of absence is strictly discretionary and no employee is entitled to any such leave of absence. If a leave of absence is approved, the employee will be notified of the terms of that leave such as approved length, fringe benefits status during the leave, and the procedure to be followed on return from leave.

Section 4. An employee who has exhausted all earned sick leave, annual leave, FMLA leave, and any other leave, may be terminated from employment.

CHAPTER 35. PERFORMANCE EXPECTATIONS

Section 1. Performance. It is also the policy of the City of Pharr that all employees are expected to be qualified, ready, willing, and able to perform the job duties for the position that the employee holds.

Section 2. City management reserves the right to define the needs of the job positions, and employees are hired with an expectation that they can meet those needs. When the needs of a position change, the employee will be provided with a reasonable amount of training and orientation to meet those needs. If an employee is unable or unwilling to satisfy the needs of a job position, that employee may be involuntarily separated from that position.

Section 3. Discipline. It is the policy of the City of Pharr that all employees are expected to comply with the City of Pharr's standards of behavior and

performance, as set forth in this policy manual, or as otherwise required by supervisory personnel, and that any non-compliance with these standards may result in an adverse personnel decision.

CHAPTER 36. PERFORMANCE EVALUATION

Section 1. City management may provide a performance evaluation on a regular or on an as needed basis to give employees an opportunity to better understand the duties of their positions and to meet the minimum standards of performance expected for the position.

Section 2. Formal performance evaluations shall be reduced to writing and provided to the employee. Nothing in this Personnel Policy precludes the use of verbal evaluations.

Section 3. An employee who consistently demonstrates an inability or an unwillingness to perform assigned duties, and who in the opinion of the employee's supervisor, department Director, or City Manager as appropriate, is either unwilling or unable to remedy this inability is subject to the full range of adverse employment actions set forth herein, up to and including termination.

CHAPTER 37. NON-DISCIPLINARY SEPARATIONS

Section 1. The City recognizes four basic types of non-disciplinary separations: 1) voluntary resignation; 2) voluntary retirement; and 3) lay-off and recall; and 4) separation based on an inability to fulfill the core functions of a city position.

Section 2. Resignation.

- A. An employee may leave the City service in good standing by submitting his or her resignation to the appropriate official at least ten (10) working days in advance of the proposed date of separation. The City Manager may waive any portion of the notice period.
- B. An employee resigning without giving the required notice shall be ineligible for re-hire for a period of one year.

Section 3. Retirement.

- A. Regular employees are afforded retirement under the Texas Municipal Retirement System.
- B. The conditions under which an employee becomes eligible for retirement is determined by the rules established under the Texas Municipal Retirement System (TMRS).
- C. Health Coverage Contribution Eligibility:
 - 1) A retired person and their dependent covered under the City's health insurance plan, prior to January 1, 2009,

shall be entitled to continued coverage at the municipality's expense not to exceed \$275.00 per month for the retiree, and fifty percent of the cost of coverage for the dependent or \$225.00 whichever is less. When a retiree reaches the age of 65, the municipality will no longer pay for the retiree's and dependent's health insurance. The City will only pay for the cost of the retiree's Medicare Advantage Plan coverage.

- 2) Any person employed with the City of Pharr prior to January 1, 2009, covered under the City's health insurance plan, that has been employed for not less than twenty (20) years with any municipality in the State of Texas that participates in the Texas Municipal Retirement System, that was employed with the City of Pharr for not less than ten (10) consecutive years, and reaches the age of fifty (50), shall be eligible upon retirement to receive continued health coverage at the expense of the municipality not to exceed \$275.00 per month. A dependent of an eligible retired person under this subsection shall not receive continued coverage at the expense of the municipality. When a retiree reaches the age of 65, the municipality will no longer pay for the retiree's health insurance.
- 3) Any person employed with the City prior to January 1, 2009 with no less than twenty five (25) years of consecutive classified service with the City of Pharr shall be eligible for continued individual health care coverage at the expense of the City not to exceed \$275.00 per month, regardless of age upon retirement up to the age of 65.
- 4) Any person eligible for continued coverage shall comply with the procedural requirements as may be applicable, and shall further execute any necessary authorizations allowing the City to electronically withdraw any payments owed on monthly premiums.
- 5) Any person eligible for continued coverage shall be subject to forfeiture or cancellation of continued coverage, at the expense of the municipality, upon becoming delinquent for monthly premiums. Should such cancellation or termination occur, the person will not be eligible for continued coverage. Please see Chapter 36, Section 3, subsection F for requirements
- 6) If a retired person elects to voluntarily discontinue, cancel, or terminate coverage, the retired person is no longer eligible for coverage.

- 7) Dependents are not eligible for health benefit coverage once the employee is separated from the City.

D. Right to Purchase Continued Health Insurance Coverage:

- 1) A person to whom is retired is entitled to purchase continued health benefits coverage for themselves unless they are eligible for group health benefits coverage through another employer, was involuntary separated from the municipality for misconduct, or has become delinquent at any time for payment of continued coverage. The coverage shall be provided under the group health insurance plan or group health coverage plan provided by or through the employing municipality to its employees.
- 2) To receive continued coverage, the person must inform the City in writing, not later than the day on which the person retires from the City that the person elects to continue coverage.

E. Level of Coverage:

- 1) Except as provided by Subsections E(2) and E(3), the level of coverage provided under this ordinance at any given time is the same level of coverage provided to current employees of the City at that time.
- 2) The City shall substitute Medicare supplement health benefits coverage as the coverage provided for them, after the date that the person becomes eligible for federal Medicare benefits. See under Section C(1).
- 3) The person may elect to continue coverage at a reduced level, if such coverage is offered by the City.

F. Payment for Coverage:

A person who is entitled to continued coverage is required to make automatic bank draft payments for the coverage not later than the 1st day of the month due. Payment must be made in full and will be made to the City. If a bank draft is not made and the City is not reimbursed (to include NSF Fee), it will result in automatic cancellation of coverage at the earliest possible month. It is not the City's responsibility to ensure the City receives payment, that responsibility lies directly with the covered person.

Section 4. Lay-Offs.

- A. While rare, the City may, due to budgetary constraints, have to layoff or terminate employees or accomplish a force reduction.
- B. Force reductions are not disciplinary actions and are therefore not subject to administrative appeal review.

Section 5. Inability to Fulfill Core Job Duties

- A. Employees who are unable to carry out the core duties of their position are subject to a separation from that position.
- B. A non-disciplinary separation is based on assessment by supervisory personnel that an employee, though willing, is simply not qualified to carry out the duties of any particular position, because of a lack of physical ability, or a lack of other minimally required competencies for the position.
- C. An employee separated in a non-disciplinary separation may invoke the administrative appeal procedure provided for in this Personnel Manual.
- D. COBRA laws apply in this situation. For COBRA health coverage payment, see Chapter 37, Section 3, subsection C.

Section 6. Payment for Continued Health Insurance Coverage

For continued health coverage, payment is required. See Chapter 37, Section 3, subsection D for requirements.

CHAPTER 38. DISCIPLINE POLICY GENERALLY

Section 1. Employee conduct shall be evaluated with regard to three primary criteria as follows:

- A. Job Performance;
- B. Personal Conduct (on duty time); and,
- C. Personal Conduct (off-duty but affecting duty status).

Section 2. Job Performance. Job Performance focuses on the ability to perform the functions of the job to which an employee is assigned. Those job functions may evolve over time, as the needs and work of the City change, and a component of job performance necessarily includes the ability, and the willingness, to adapt to the changes that are required from time to time for the City to remain competitive.

Section 3. Personal Conduct at Work. Personal conduct at work relates to the social skills, manners, and ability of an employee to fit into a public sector work environment and to get along with other employees. Any conduct that negatively bears on the work environment and work morale will also bear negatively on an employee's qualifications to work in that environment.

Section 4. Personal Conduct Outside of Work. Personal conduct outside of work, while not ordinarily the focus of job performance or abilities, can and will be the basis of personnel action if it affects the employee in any area of work performance.

CHAPTER 39. GROUNDS FOR DISCIPLINE

Section 1. A supervisor, a department Director, or the City Manager as appropriate, may impose such discipline as is warranted under the circumstances of any particular case.

Section 2. Grounds for discipline include, but are not limited to the following types of misconduct:

A. Job Duty Related Conduct such as:

- 1) Excessive tardiness;
- 2) Excessive absenteeism;
- 3) Unauthorized absence;
- 4) Failure or inability to perform the duties of a job assignment;
- 5) Disobedience of lawful orders;
- 6) Neglect of or disregard of duties;
- 7) Failure to comply with any one or more of the City's policies, procedures, or directives set by management and/or supervisory personnel.

B. Social incompatibility conduct at work such as;

- 1) Insubordination or disrespectful conduct to a supervisor;
- 2) Confrontational or disrespectful conduct towards a co-worker or other employee;
- 3) Substance abuse, including alcohol;

C. Criminal conduct, whether on or off duty, such as:

- 1) Any misdemeanor complaint or indictment;
- 2) Any felony indictment;
- 3) Any misdemeanor deferred adjudication or conviction;
- 4) Any felony deferred adjudication or conviction.
- 5) Any conduct on duty that could constitute criminal misconduct if chargeable by prosecuting authorities, including falsification of records, acceptance of bribes, improper use of City property, and so forth.
- 6) Certain conduct off duty that could constitute criminal misconduct if chargeable by prosecuting authorities and which could bear a negative public perception about the qualifications of that employee to serve the City.

- D. Any other conduct, either in connection with City business or of such a public nature that it adversely reflects on the City or the employee's ability to function satisfactorily as a City employee.

CHAPTER 40. DISCIPLINARY & TRAINING PROCEDURE

Section 1. The City endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. However, the City retains the right to administer discipline to address performance and conduct issues and concerns that arise with respect to particular situations.

Section 2. The types of progressive discipline include, but are not limited to the following procedures and protocols:

- A. A documented extension of probation no longer than the current probation period in force.
- B. Verbal warnings including a meeting with the employee to discuss the matter, inform the employee of the nature of the problem and the action necessary to correct it. A verbal warning may be documented in writing by supervisory personnel without notice of such documentation by the employee.
- C. Written reprimand to the employee describing the deficiency or infraction and the action necessary to correct it, warning the employee that a subsequent incident will result in more severe disciplinary action. A written warning or counseling shall be documented in the employee's personnel file and notice of this shall be given to the employee.
- D. Suspensions, with or without pay, including the issuance of a written reprimand and Notice of Suspension describing the deficiency or infraction and the action necessary to correct it, warning the employee that a subsequent incident will result in more severe disciplinary action up to and including termination.
- E. Demotion in salary, position or both, including the issuance of a demotion notice describing the reasons for such action.
- F. Dismissal including the issuance of a notice setting forth the grounds for and date of dismissal.

Section 3. Endorsement of a progressive discipline model does not restrict the authority of management to impose an appropriate level of discipline depending on the seriousness of any misconduct.

CHAPTER 41. SUBSTANCE ABUSE & DRUG TESTING

Section 1. It is the policy of the City of Pharr to maintain a drug-free workplace. The manufacture, distribution, dispensation, possession,

concealment, use, sale or transfer of alcoholic beverages, inhalants, drugs or controlled substances, and the possession of drug-related paraphernalia or literature promoting the use of illegal drugs, while at work, on City premises (including parking lots) or worksites, in City vehicles, or while involved in City business, is prohibited.

- A. This same general policy applies to all positions that are appointed by the Board of Commissioners even though these are not paid positions.

Section 2. Strict compliance with this policy is a condition of initial and of continued employment. The City has a zero tolerance policy with respect to substance abuse of any type. Any detectable level of a controlled substance in a positive drug test shall subject an employee to disciplinary action, up to and including discharge.

Section 3. Prescription drugs prescribed by a licensed medical practitioner for the person using or possessing them and over-the-counter medications are not prohibited by this policy, provided that they were lawfully obtained and are not consumed at a frequency or quantity greater than the dosage prescribed or otherwise recommended on the medication's label.

- A. Provided, however, that any employee whose duties include operation of motor vehicles or machinery, taking any prescription or over-the-counter drug or medication, regardless of whether it was lawfully obtained and properly consumed, which drug or medication is known or advertised as possibly affecting or impairing judgment, coordination, or other senses, or which may adversely affect ability to perform work in a safe and productive manner, must notify his or her supervisor or the Personnel Officer prior to starting work or entering City premises or worksites.
- B. The supervisor or Personnel Officer will decide if the employee may remain at work or on City Premises or worksites and what work restrictions, if any, are deemed necessary. If the employee is determined unable to work, the absence will be considered as sick leave.

Section 4. Substance Abuse Testing. Employees are subject to substance abuse testing to the full limits allowed by state and federal law. Generally, the testing shall be under the following circumstances:

- A. Pre-employment: During pre-employment screening, applicants will be advised that they are subject to testing for illegal drugs. Any job offer will be contingent on passing a drug test (negative results). Applicants will be required to sign a consent form acknowledging this policy as a condition of employment and granting consent for such testing.
 - 1) Applicants who fail the test (confirmed positive results) will not be allowed to reapply until twelve (12) months after the date of the test and only then if they present evidence of their completion of a physician-approved

rehabilitation program and consent to random testing for twelve (12) months after the effective date of their appointment.

- B. Probable Cause. If probable cause exists that any employee has used, possessed or is under the influence of alcohol, any drug, or any controlled substance, in violation of this policy, the employee shall be required to submit to any appropriate form(s) of testing allowed by law.
- C. Post-accident. Whenever a City employee is involved in an accident of any type, which the employee is subject to any appropriate form(s) of testing allowed by law as soon after the accident but no more than two (2) hours after the accident, particularly if the accident has resulted in damage to property or injury to persons.
- D. Random testing. Under the direction of the City Manager, random tests may be conducted on selected groups of employees, particularly those involved in law enforcement, fire suppression, or in other recognized safety sensitive positions. Any random test called by the City Manager shall be mandatory.
 - 1) Random selection shall be determined by a qualified outside service provider.

Section 5. Testing Procedures. When probable cause exists that an employee has used unauthorized controlled substances at any time or is under the influence of drugs or alcohol while on duty, the employee shall be required to submit to testing.

Section 6. The City will utilize its best efforts to utilize a responsible drug and substance abuse testing laboratory that satisfied the minimum criteria for implementation of drug testing policies, and which provides for a review procedure by a Medical Review Officer (MRO).

Section 7. If the employee timely and properly invokes a MRO review of a positive test result, and the MRO nullifies a confirmed positive test result, no further action will be taken against the applicant or the employee based on the positive test results standing alone.

- A. If the MRO's review determines there is no legitimate medical explanation for the confirmed positive result, the employee will be subject to disciplinary action up to and including discharge and applicants will not be eligible for employment.
- B. Further, negation of a positive test result by an MRO does not preclude the City from evaluating other incidental misconduct or performance issues that do not depend on the outcome of a test result.

Section 7. Discipline. Violations of the substance abuse policy will be grounds for termination.

Section 8. Treatment. Employees who believe they have a substance abuse problem are encouraged to seek treatment and counseling by any means possible, including through any available health plan benefits and the Employee Assistance Program that may be available through the City.

Section 9. Definitions under this policy shall be as follows:

- A. "Illegal drug" includes heroin, cocaine, crack cocaine, cannabinoids (marijuana, hashish, THC), and PCP (Phencyclidine), LSD (lysergic acid diethylamide) or any other controlled substance not validly prescribed by a physician.
- B. "Controlled substance" includes all of the above illegal drugs plus any other substances covered by Schedules I through V of the Federal Controlled Substances Act (21 U.S.C. 801 at seq.) Or the Texas Controlled Substances Act (Chapter 481, Texas Health and Safety Code). Controlled substances include amphetamines, barbiturates, methadone, benzodiazepines, methaqualone, morphine, codeine, and anabolic steroids.
 - 1) A controlled substance is "unauthorized" if the employee does not have a valid prescription for that substance at the time of its use or possession.
- C. "City premises or worksites" include all property, buildings, structures, job sites (where an employee is working), parking lots, and means of transportation owned, leased, or otherwise used for City business including motor vehicles, equipment, or machinery.
- D. "Failing a drug test" is defined as a confirmation of initial test results which shows positive evidence of the presence of a prohibited substance in the body.
- E. "Passing a drug test" is defined as initial or confirmation test results which do not show evidence of the presence of an illegal drug or unauthorized controlled substance in the body.
- F. An employee who has a blood alcohol content of .05% while on duty will be presumed to be "under the influence of alcohol" and in violation of this policy.

Section 10. Acknowledgment of Compliance. Compliance with the City of Pharr's Alcohol and Drugs Policy is a condition of employment for all employees hired prior to and after the effective date of this policy. Current employees will be required to sign an acknowledgment of understanding which will become part of each employee's personnel file.

CHAPTER 42. ANTI-SEXUAL HARASSMENT POLICY

Section 1. Policy Statement. It is the policy of the City of Pharr to provide a productive and professional work environment free from all forms of unlawful discrimination, including sexual harassment.

Section 2. The City prohibits any form of sexual harassment, whether verbal or physical, and without regard to whether the harasser or the victim is a supervisor, coworker, supplier, or customer. Employees should be aware that the laws prohibiting sexual harassment also contemplate same gender harassment as illegal.

Section 3. Employees found to have engaged in sexual harassment will be disciplined, up to and including dismissal, depending on severity of the misconduct.

Section 4. If the harasser is a supplier or customer, or other outside service provider, the City will take appropriate action to end the harassment and prevent future occurrences to the fullest extent of its authority.

Section 5. Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser.

Section 6. The following is a partial list of sexual harassment examples. Sexual harassment includes the following types of behavior, which is misconduct under the City's policies:

- A. Unwanted sexual advances.
- B. Offering employment benefits in exchange for sexual favors.
- C. Making or threatening reprisals after a negative response to sexual advances.
- D. Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- E. Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes of a sexual nature.
- F. Verbal sexual advances or propositions.
- G. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- H. Physical conduct that includes touching, assaulting, or impeding or blocking movements.
- I. Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature.

Section 7. Employees must recognize that jokes, innuendos, and other horseplay that might otherwise be acceptable in a non-work environment amongst friends and colleagues is not necessarily acceptable conduct in a work environment.

Section 8. Because the potential for misunderstandings and other miscommunication is higher when Employees are at work, all Employees are hereby notified that they need to adhere to professional and more formal standards of behavior towards coworkers, friends, and colleagues while at work.

Section 9. Reporting Requirements. An employee who reasonably believes that he or she is being subjected to conduct or behavior in violation of state or federal law, as recognized by this policy, must take action and report these concerns to appropriate supervisory personnel so that the concerns can be properly investigated and resolved.

CHAPTER 43. CITY EQUIPMENT AND PROPERTY

Section 1. General Policy Statement. Because all City equipment, of whatever nature, is acquired with public money, the care and usage of all City equipment is restricted for legitimate City business. Personal use of City equipment shall be kept to a minimum.

Section 2. Safety. See Safety Manual for reference.

Section 3. Telephone and Facsimile. It is the policy of the City that telephone, mail, and facsimile transmission facilities shall be available during working hours for effective communication involving City business. Accordingly, City facilities should not be used for personal telephone calls or personal mail except in cases of necessity.

- A. Use of the City's telephone lines should be confined to business calls. Personal telephone calls should be limited to those which are absolutely necessary and should be as brief as possible. This restriction on the use of telephones also applies to personal calls to fellow employees.
- B. When necessity requires that an employee make a personal long distance telephone call, the call should be placed throughout the telephone company operator and charged to the individual's home number, or placed collect.

Section 4. Mail and City Stationery. In order to avoid adding to the increasing volume of mail, employees should not use the City's address to receive personal mail. The City's stationery shall not be used for personal correspondence since any communication sent out on such stationery might be considered an official communication from the City.

Section 5. Internet and Email Use. See technology acceptable use policy for reference.

Section 6. All Other Equipment. All other City equipment of whatever nature, whether heavy equipment, tools, or office furniture, should be cared and maintained in a reasonable manner. Loss of or damage to any City equipment must be reported to supervisory staff. An employee may be held responsible for the cost of replacing or repairing City equipment that is lost or damaged.

CHAPTER 44. OPERATION OF MOTOR VEHICLES

Section 1. General Policy. It is the policy of the City that all employees required to operate motor vehicles in performance of City duties, do so in a safe and lawful manner.

Section 2. Condition of Employment. All employees required to operate motor vehicles or heavy equipment (whether employee owned or City owned) in performance of City business must possess the appropriate driver's license and insurance as a condition of their employment. Employees operating their own vehicles must possess the appropriate driver's license and carry the minimum amount of vehicle insurance required by law.

- A. An employee whose duties require the operation of a motor vehicle or heavy equipment, but who does not possess the appropriate driver's license and/or the required insurance or is not insurable shall be terminated from employment for not meeting the minimum conditions to hold the position.
- B. Suspension or revocation of the driver's license of an employee who is required to operate a vehicle or equipment as a normal part of their job may result in a transfer, if another position is available and if the employee qualifies for the position or, if no such transfer position is available, the termination of employment.

Section 3. An employee whose duties involve the operation of a motor vehicle and who becomes physically or mentally unable to safely operate a motor vehicle may be transferred to another position within the City, if one is available, or discharged.

Section 4. Any City employee required to operate a motor vehicle who is convicted of any of the followings violation shall be subject to immediate termination of employment:

- A. A plea of guilty or nolo contendere is considered the same as conviction for:
 - 1) Driving while intoxicated or under the influence of drugs or alcohol;
 - 2) Hit and run/failure to stop and render aid;
 - 3) Manslaughter with a motor vehicle; and,

- 4) No license, improper or invalid driver's license.
- B. An employee whose duties require the operation of a motor vehicle and who is involved in any one or more of the following situation may be subject to immediate termination of employment:
- 1) Two or more moving violations within one year of the initial infraction;
 - 2) Two or more at fault accidents within one year of the initial infraction;
 - 3) One at fault accident and one moving violation within one year of the initial infraction;
 - 4) One negligent collision resulting in serious bodily injury (hospitalization or death) or extensive property damage;
 - 5) Provided, however, that an employee who submits a certificate of completion of a U.S. based certified defense driving course obtained on their own time and at their own expense may mitigate an adverse evaluation of that employee's employment status; but each situation will nonetheless be evaluated on its own merits.

Section 5. Any employee who receives a traffic citation or who is involved in a motor vehicular collision, regardless of how minor, while operating a motor vehicle on City business, shall if physically able, file a report of such incident with their immediate supervisor within twenty four (24) hours of the occurrence of such events or be subject to disciplinary action including termination.

Section 6. Unauthorized use of the City's motor vehicles is prohibited and is a ground for disciplinary action including termination of employment. City vehicles shall not be used for personal errands or for personal travel. Employees who are provided City motor vehicles for their use will use such vehicles only for City related business.

Section 7. City vehicles shall not be used to transport employees, clients, or others to political activities, to voting precincts or to any other activities outside of normal City requirements.

Section 8. See Safety Manual for additional reference.

CHAPTER 45. DRESS CODE

Section 1. General Policy. The dress standards reflect the pride and professionalism of the City of Pharr employees. The appearance of the employees impacts how citizens, customers, co-workers and the Elected Officials view the City. A good appearance is definitely an asset to the employee, to the City of Pharr, and to fellow employees. It is very important that all employees dress neatly and conservatively. Let good common sense

be the employee's guide and avoid extreme dress wear, make-up, and hairstyles. The Department Director are responsible for implementing this policy and should explain dress code to each employee in order to effectively promote good appearance and a professional image.

The purpose of the policy is to establish guidelines and standards for proper attire for City of Pharr employees. The policy is applicable to all City employees unless covered by a collective bargaining agreement. If a Department Director, his or her delegated representative, or the Human Resources designee determines that an employee's personal appearance does not correspond to the dress code policy, the employee may be asked to leave the workplace and not return until he or she is properly dressed or groomed. Employees will not be compensated for any time missed because of failure to comply with the policy. Failure to comply with the dress code policy may subject the employee to disciplinary action.

Section 2. Attire Grooming Requirements.

- A. Department Director may allow employees to dress in a more casual fashion than is normally required on special work related occasions (i.e. moving boxes, supplies, records, heavy equipment and furniture, etc.). When necessary, reasonable accommodation may be made to an employee with a disability.
- B. The field/uniform attire is appropriate for employees who do not routinely interact with the public. The field uniform attire consists of City issued attire, where applicable, or collared shirts, jeans, work pants or safety clothing and equipment as required by the City of Pharr. The Department Director, depending on the job function, may authorize the wearing of field attire.
- C. The maintenance of uniforms will be at the discretion of the department. Uniforms that are excessively worn or damaged shall be replaced with other uniforms based on the determination of the supervisor. Lost or abused uniforms will be replaced at the employee's expense. The field/uniform employees are otherwise required to meet grooming, and hygiene standards.
- D. Field/Uniformed Departments
Bridge, Development Services, Events Center, Fire, Golf, Information Technology, Parks & Recreation Police, Public Utilities, and Public Works.
- E. Recreation staff including swimming pool staff may wear attire for the particular recreation/sports activities when engaged in such activities. Recreational staff are allowed to wear khaki or coaching shorts and clothing as appropriate to their job function. Shorts will only be worn by recreational staff at the discretion and rules set forth by the Department Director. Swimming attire must be fully covered when entering into an office atmosphere.

Section 3. Office Attire. Employees who work in an office setting must wear office attire during the normal business hours of operation. The office attire consists of appropriate clothing for a particular function of a department or business unit.

A. Office Attire Departments

Administration personnel for the following Departments: Bridge, City Manager's Office, Court, Development Services, Engineering, Events Center, Finance, Fire, Golf, Grants Management, Human Resources, Information Technology, Library, PAL, Parks & Recreation, PEDC, Police, Public Utilities and Public Works.

B. Guidelines for Office Attire – Male Department Director & Assistant Department Director

- 1) Department Director and Assistant Department Director Employees must wear a blazers, suits or sport coats with dress collar shirt and a tie. An exception is made for the Police & Fire Chief who may wear uniforms.

C. Guidelines for Office Attire – Male Employees

- 1) Dress collar shirts must be worn no lower than the second button from the collar
- 2) All shirts must have a collar, must be tucked into the slacks and of conservative style and color
- 3) Dress slacks or khaki pants must be worn with a belt
- 4) Dress shoes, leather boots (worn with socks)
- 5) Blazers, suits or sport coats are acceptable, but not mandatory

D. Guidelines for Office Attire – Female Employees

- 1) Business dresses, coat dresses are allowed
- 2) Two piece pantsuits (no hosiery is required)
- 3) Dresses will not be any shorter than three (3) inches above the knee
- 4) Sleeveless dresses and blouses must be worn with a jacket or sweater
- 5) Slits will not be any shorter than five (5) inches above the knee
- 6) Shirts, blouses, sweaters, skirts and slacks of a conservative style and color

- 7) Blouse or shirt tails should be tucked into the pant or skirt
Blouse or shirt blocked tails do not have to be tucked into the pant or skirt
- 8) Blouse or shirt must be worn no lower than the second button from the collar

Section 4. Business Casual Attire. The business casual attire is an optional style of dress attire that is permitted in designated special tasks. The work environment and/or individual duties performed by the employee will dictate whether business casual attire is permissible. It is essential that employees who dress in a business casual attire understand and adhere to the City's expectations for the standard dress code. The Department Director will determine whether business casual attire is appropriate depending on the employee's work area or position.

A. Guidelines for Business Casual Attire

- 1) Polo Shirt, collared shirt or sweater
- 2) Pullover collared polo shirts must be tucked into the slacks and of conservative style and color
- 3) Khaki or dress pants must be worn with a belt
- 4) Dress shoes or leather boots

Section 5. General Guidelines for Attire

- A. Shoes - Must coordinate with business attire. Should be kept polished and in good repair. Open toe (with straps) shoe styles are allowed. Footwear such as sandals, thongs, and mules are not allowed. Tennis shoes are not allowed.
- B. Belts - Belts are considered part of all business attire, unless the clothing is designed to be worn without a belt.
- C. Accessories - Jewelry must be tasteful, not excessive and must coordinate with business attire. Earrings are allowed. Eyebrow rings, nose rings, lip rings, tongue studs are prohibited. Two pair of earrings may be worn. Men are not allowed to wear earrings. Torso body piercing with visible jewelry or jewelry that can be seen through or under clothing must not be worn. Message buttons or pins are not permitted, except those issued by the City of Pharr and those approved by the Department Director.
- D. Hats & Caps - No hats allowed inside the office setting. No caps with logos except those issued by the City of Pharr. Caps and visors must be worn correctly to serve their purpose. Caps and visors worn upside down or sideways backwards are unacceptable.
- E. Glasses - Dark glasses may not be worn in-doors, unless required by a licensed physician and medical excuse is required.
- F. Name badge - Employees **MUST** wear their name badges at all times.

- G. Uniforms - Uniformed employees who have assigned uniforms must wear them at all times. Uniforms must be well maintained, clean and pressed. Belts must be worn as part of all uniforms. Shirts must be tucked in.
- H. Hair - Hair must be clean and neat in appearance and consistently maintained. Extreme hair color or hairstyle is prohibited. If hair is dyed, bleached, or tinted, it must be maintained (extreme hair colors that include but not limited to pink, green, blue, and purple are unacceptable). Sideburns, beards and mustaches must be neatly trimmed. Mohawks, spiked hair and dread locks are not permitted.
- I. Fingernails - Fingernails must be clean and neatly manicured. Nail length should not interfere with job performance.
- J. Fragrances - Fragrances must be subtle and in moderation. Offensive body odor and poor personal hygiene is not professionally acceptable.
- K. Makeup - Makeup should look natural. Subtle shades of cosmetics are acceptable.
- L. Tattoos - Only tattoos that are not offensive in nature are permitted. Facial tattoos are not acceptable with the exception of cosmetic permanent make-up.

Section 6. Unacceptable Attire.

- A. Party dress attire is not permitted
- B. Slits on short dresses and skirts are not permitted
- C. Tank top, halter top, cut-off and see-through blouses or shirts are not permitted
- D. Blouses/dresses (midriffs and backs must be covered)
- E. Revealing clothing such as bare midriffs, crop tops are not permitted
- F. Blouses with thin straps, camisoles, midriff are not permitted
- G. Low rider or hipster pants or slacks are not permitted
- H. Leggings, spandex pants and athletic wear are not permitted
- I. Tennis shoes, thongs, clogs, open toe flip flop sandals/shoes or bare feet are not permitted
- J. Sweatshirts/sweatpants, shorts and cut-offs are not permitted
- K. Faded or torn jeans are not permitted
- L. Low cut blouses, shirts and dresses are not permitted and no cleavage should be shown
- M. Blouses and shirts that are glittery or transparent are not permitted

- N. Dresses, blouses, shirts, pants, slacks or skirts that are too tight to the skin are not permitted
- O. Any apparel containing obscene slogans, foul language or other emblems or writing that may reasonably be expected to cause disruption or interference are not permitted

Section 7. Employees who are not appropriately attired may be counseled and requested by a supervisor to return home and change into appropriate attire. Violation of this dress code policy can serve as grounds for disciplinary action.

CHAPTER 46. PUBLIC AND MEDIA RELATIONS

Section 1. It is the policy of the City that public relations, contact with the media, releases of information, news releases and availability of City records and information shall be handled through a chain of command and in accordance with applicable law. Since a statement by any City employee to the public or to the news media may be interpreted as an official statement of the City administration, contact with the media, news releases and other releases of information concerning the City or any of its department is limited to managerial personnel given that responsibility.

Section 2. Public Appearances. Requests for a City employee to make a public appearance on behalf of the City shall be referred to the employee's Department Director who will evaluate the request and either permit or deny the employee permission to appear, taking into account the activity involved, the reason the employee's presence is requested, the area in which the employee is expected to be knowledgeable, and the employee's knowledge in such area. Questionable cases will be referred to the City Manager.

Section 3. News Media. The news media performs an important service for the public, which should be clearly understood by all City employees. It is the function of the news media to keep the public informed on matters of public interest, including the activities of the various departments and the employees of the City. Therefore, it is essential that information provided to the media be accurate, released only by the appropriate person or official, and handled in a professional manner.

Section 4. Any authorized statement to the media should be a factual recitation within the employee's knowledge and should comply with the following guidelines:

- A. No employee will make a statement to the news media during normal working hours without clearing the statement through their appropriate supervisory personnel.
- B. Statements to the news media made during working hours or at times other than working hours shall be limited to factual statements concerning matters of which the employee has first-hand knowledge.

- C. Records of the City shall be released to the public or the news media only in accordance with the requirements of the Texas Public Information Act and any applicable City's Ordinance relating to the release or production of records.
- D. Requests for information, questions or statements by the news media concerning matters of City policy, procedure or opinions shall normally be referred to the City Manager.
- E. Every effort will be made by all employees to cooperate fully with the news media concerning requests for information so long as the procedures set by this policy are followed.
- F. City employees shall be civil, orderly and courteous in their contact with the news media. Employees shall not use harsh, violent, coarse, profane or insolent language in any communication with the news media.

Section 5. All employees and representatives of the City should remember that they work for the public. At the same time, employees should remember that when they are contacted by anyone for information about the City, City employees, or officers or when requests are made for information or records, the procedures set out in this policy should be followed.

CHAPTER 47. CONFLICT OF INTEREST

Section 1. General Policy. It is the policy of the City that no employee shall engage in any activity or practice that creates an actual, or a perceived, conflict of interest with their position as a City employee.

Section 2. For purposes of this policy, a conflict of interest is defined as follows:

- A. **Outside interest causing a conflict of interest.** To hold, directly or indirectly, a position or a material financial interest in any outside concern from which the individual has reason to believe the City secures goods or that provides services competitive with the City. To compete, directly or indirectly, with the City in the purchase or sale of property or property rights, interests, or services.
- B. **Outside activities causing a conflict of interest.** To render directive, managerial, or consultative services to any outside concern that does business with, or competes with the services of the City, or to render other services in competition with the City.
- C. **Acceptance of gifts, gratuities, and entertainment causing a conflict of interest.** To accept gifts, excessive entertainment, or other favors from any outside concern that does, or is seeking to do, business with, or is a competitor, of the City, under circumstances from which it might be inferred that such action was intended to influence, or possibly would influence, the individual in the performance of their duties.

- 1) This does not include the acceptance of items of nominal or minor value that are clearly tokens of respect or friendship and not related to any particular transaction or activity of the City.

D. Disclosure of inside information which causes a conflict of interest. To disclose or use information relating to the City's business for the personal profit or advantage of the individual or their immediate family. Disclosure of inside information will not be made by the employee, nor by their immediate family.

Section 3. Procedure. An employee may not use their position with the City for any personal gain other than allowable compensation and benefits received from the City. This prohibition includes financial gain, political gain, or other favors, benefits, or gifts sought or bestowed because of a person's position with the City.

Section 4. An employee may not engage in any other business or commercial activity or be employed in private enterprises if such activities interfere with the performance of their duties with the City.

Section 5. An employee seeking outside employment shall submit a request to their supervisor who will forward the request with a recommendation for approval or disapproval to the Department Director. Such request shall not be approved unless employment will not adversely affect the employee's job performance with the City, will not result in a conflict of interest, and will not adversely reflect on the City. The Department Director shall return the request to the employee indicating whether the request has been approved or disapproved. The employee may appeal the Department Director's decision by filing a grievance with the City Manager. The action of the City Manager is final.

Section 6. An employee will not borrow money from or otherwise exploit or take advantage of other City employees. Included in this prohibition are such activities as selling items to City employees or accepting gifts from fellow employees other than items of nominal value that are clearly tokens of respect or friendship.

Section 7. An employee shall not purchase goods, supplies, services or equipment for the City without following the City's purchasing procedures policy. An employee will not accept any personal benefit, remuneration, gifts or favors from outside vendors of material value.

Section 8. An employee shall not use City personnel, equipment or supplies for personal gain nor shall an employee do personal work on City time.

Section 9. An employee will not accept gifts from any person or firm that is doing or seeking to do business with the City under circumstances from which it might reasonably be inferred that the purpose of the gift is to influence the employee in the conduct of the City business with the donor. Such gifts should be returned with a note of explanation.

- A. However, employees are not prohibited from accepting advertising novelties such as pens, pencils, and calendars, or other gifts of nominal value when the circumstances clearly show that the gifts are offered for reasons of personal esteem and affection and are not related to any particular transaction or activity of the City.

Section 10. Employees are prohibited from buying and selling items for personal profit on city premises.

Section 11. It is difficult to describe all of the situations which may arise involving a conflict of interest. If any employee has a question concerning a possible conflict of interest, the employee should advise their supervisor of the situation. Questionable situations should be brought to the attention of the Personnel Officer or designee.

CHAPTER 48. POLITICAL ACTIVITY

Section 1. General Policy. It is the policy of the City to allow all employees the freedom to participate in governmental activities including political activities provided that such participation is done outside of employment hours and does not result in a conflict of interest.

Section 2. Procedures. No employee shall use their position or influence in any way for or against a candidate for public office.

Section 3. Employees shall not circulate petitions or campaign literature on behalf of candidates for elective office or be in any way involved in soliciting and subscription, contribution or political service on behalf of any such candidate during working hours.

Section 4. Employees shall not in any manner contribute money, labor, time or other valuable things to any person for election purposes during working hours.

Section 5. Strict compliance with this policy is a condition of initial and continued employment. The city has a zero tolerance policy with respect to political activity of any type. Any violations of this policy shall subject all employees to disciplinary action, up to and including termination.

CHAPTER 49. NO SMOKING POLICY

Section 1. General Policy. Smoking is not permitted in City buildings or facilities including specifically offices, restrooms, hallways, reception areas, garages, sheds, and motor vehicles.

Section 2. Smoking Restrictions. Employees may smoke outside while on designated breaks.

Section 3. Non-employee visitors will be directed to comply with the City's no smoking policy.

Section 4. Work breaks may be scheduled by supervisors to accommodate smokers in compliance with these policies and procedures covering such breaks.

Section 5. Smoking in City motor vehicles is prohibited.

Section 6. The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers.

Section 7. All employees share in the responsibility for adhering to and enforcing the policy, but management will assure adherence to this policy.

Section 8. Conflicts should be brought to the attention of the immediate supervisor and, if necessary, the Department Director.

Section 9. In all cases, the right of a non-smoker to protect their health and comfort will take precedence over another employee's desire to smoke.

Section 10. This policy, and any violations thereof, shall be enforced through appropriate counseling and appropriate disciplinary action.

CHAPTER 50. ADMINISTRATIVE REMEDIES FOR CERTAIN TYPES OF COMPLAINTS AND GRIEVANCES

Section 1. General Statement of Purpose. This Chapter addresses the City's administrative complaint and appeal procedures relating to EEO discrimination complaints, including sexual harassment, retaliation complaints, Whistleblower complaints, complaints regarding allegations or concerns of civil rights of employees protected under state and federal law, qualifying disciplinary appeals, and appeals from non-disciplinary termination or separation from employment. This Chapter also covers non-appealable administrative grievances.

Section 2. Complaint Procedure for Discrimination, Sexual Harassment and Retaliation.

- A. If any employee believes he or she is the subject of an employment action that is substantially motivated by unlawful discrimination or retaliation based on considerations of race, color, ethnicity, national origin, gender (sex discrimination, including sexual harassment), age, disability, religious belief, or any other characteristic protected by state or federal law, that employee may, and should, confront the person or persons believed to have been so motivated in their action by bringing the concern to the actor's attention.
- B. If such action does not resolve the concern or action believed to be improper, then the employee should immediately report the matter to his or her immediate supervisor or department Director.
- C. As an alternative, if the employee has a good faith reason to believe that reporting the conduct up the chain of command will not work, the employee may report the action directly to the City Manager or the City Manager's designee.

- D. Complaints about the City Manager and any other charter based appointment must be made in writing, addressed to the Mayor and Board of Commissioners, and filed with the City Clerk.

Section 3. Investigation of Complaints. To the fullest extent possible, disclosure of information concerning the complaint will be limited to persons with a need to know. However, the names of the complaining employee and the person alleged to have engaged in discriminatory, retaliatory or harassing behavior, as well as the circumstances of the alleged conduct, may have to be revealed during the course of the investigation in order to ensure that the investigation is as thorough and as fair as possible.

Section 4. Whistleblower Complaint Procedure. Under state law, Chapter 554, Texas Government Code, the City may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports a violation of law by the employing governmental entity or another public employee to an appropriate law enforcement authority.

- A. An employee who in good faith believes that he or she has suffered retaliation at work as a consequence of making a good faith report of a violation of law to an appropriate law enforcement authority, as provided by law, must first file an administrative appeal under the provisions of this Manual.
- B. This administrative exhaustion requirement is a prerequisite to the initiation of any judicial action. It is intended to provide the City with an opportunity to take corrective action before being required to answer in a court of law.
- C. Failure to file this administrative complaint procedure may result in the denial of any subsequent judicial relief.

Section 5. Each such complaint will be taken seriously and the management personnel who receive the complaint shall take the necessary and appropriate steps to see that the complaint is investigated and ultimately resolved. If the matter is not resolved at the department Director level, the matter may be appealed to the City Manager, whose determination of the matter shall be final.

CHAPTER 51. APPEAL PROCEDURES FOR CERTAIN TYPES OF COMPLAINTS AND PERSONNEL ACTIONS

Section 1. Employees, not on probation, may appeal only adverse personnel actions or other personnel decisions that result in a loss of a position or a loss of pay.

- A. Provided, however, that a reduction in force, a restructuring of a department, or changes in the design of a job function do not qualify as adverse employment actions;

- B. Provided further that employees on probation pursuant to an inter-departmental or intra-departmental transfer retain their appeal rights on terminations only.

Section 2. Personnel decisions relating to the job functions, job assignments, schedules, or the manner and method of carrying out work, and which carry no loss of pay or benefits, do not qualify as adverse personnel actions subject to this appeal procedure.

CHAPTER 52. Further, a verbal or written reprimand or warning, or any other form of counseling of an employee, is not an adverse personnel action under this Personnel Manual and is not subject to this appeal process unless it is accompanied by a loss of pay or benefits.

CHAPTER 52.

CHAPTER 52.

CHAPTER 52. APPEAL PROCESS & PROCEDURE

Section 1. Appeals brought under this Personnel Manual shall be to the City Manager, who shall be the final decision maker for all personnel decisions. The City Manager may designate another supervisory person to handle the appeal process.

Section 2. An appeal must be presented in writing within five (5) business days of the date of the action or decision being appealed.

Section 3. Although no specific form is required, the appeal must provide the minimum following information:

- A. the adverse action or decision that is the subject of the appeal;
- B. the date on which the action or decision was taken;
- C. the name and title of the of the person or persons who took the action or made the decision;
- D. an explanation of why the employee believes that the action was not warranted, not justified, or is otherwise deficient; and,
- E. a description of the remedy or relief the employee wants or requests as part of the appeal.

Section 4. The appeal form must be signed and dated by the employee filing the appeal to be effective. Verbal communications reflecting intent to appeal do not trigger the appeal process unless and until such intent is reduced to writing in accordance with the provisions of this Manual.

Section 5. In addition to the foregoing information, the employee may submit any information, such as documents, affidavits, or other evidence, that the employee believes should be considered as part the appeal.

Section 6. In considering the merits of an appeal, the City Manager may request and rely upon any investigative information and material generated by management staff. The City Manager may also request or conduct such

further and additional investigation as he or she deems necessary and appropriate to evaluate the appeal, including a hearing on the appeal with the grieving employee.

Section 7. The City Manager has all the authority provided to this position under the City Charter, and may make any and all necessary determinations deemed necessary to resolve the appeal.

Section 8. The City Manager will issue a decision within a reasonable time after the appeal is lodged. If the City Manager determines that there will be a delay in making a decision, the employee shall be so advised. In addition, the appealing employee and the City Manager may, but need not, mutually agree to set deadlines as necessary.

Section 9. The written decision of the City Manager shall be final for all purposes. An employee is free to present new and additional evidence or information if necessary, and request reconsideration, but the City Manager's is under no obligation to keep the appeal open.

Section 10. In this regard, personnel decisions of the City Manager shall be final. There is no appeal procedure on personnel issues to the City Commission under this Policy Manual; provided, however, that nothing in this Manual is intended to derogate from whatever investigative authority the City Commission may have under the City Charter.

CHAPTER 53. OTHER GRIEVANCES & COMPLAINTS

Section 1. An employee may bring any grievance, complaint, or issue affecting his or her conditions of employment to the attention of an immediate supervisor at any appropriate time. This must be done in writing.

Section 2. If a grievance involves an adverse personnel decision or dissatisfaction with the outcome of a complaint regarding any covered type of discrimination (including sexual harassment) or retaliation, as set forth in City policy, then the grievance shall be treated as an appeal instead and handled through those channels.

Section 3. Grievances that do not involve any adverse personnel action, or any complaint regarding discriminatory or retaliatory behavior as those terms are defined at law, may be administratively investigated, and hopefully resolved, but there is no entitlement to the administrative appeal and review process, which is reserved strictly for personnel actions that result in a loss of pay or benefits as provided for in this Manual.

Section 4. All other grievances, complaints, issues shall be handled on as informal basis as possible. A supervisor may, but need not, investigate the complaint and, if warranted, may take appropriate action, including referring the grievance to his or her immediate supervisor following the chain of command.

Section 5. Department Directors are given wide discretion in the management of personnel within their department, and are encouraged to use

informal grievances and complaints brought in good faith as a source of information to better manage and administer their department.

CHAPTER 54. MISCELLANEOUS MATTERS

Section 1. Travel Expenses & Reimbursement. City employees who are asked or required to travel in connection with the performance of their job related duties or on behalf of the City may request reimbursed for expenditures associated with such travel.

A. **Travel Approval.** Directors must get approval to travel from the City Manager prior to any arrangements being made. Non-Directors travel requests will be approved by their Directors.

B. Requests for reimbursement shall be reviewed by the City Manager.

Section 2. The scope and amount of travel expenses, including payment of any per diem amounts, shall be set by a separate City ordinance or resolution, which may be updated from time to time by the City Commission.

Section 3. Effective Date. The provisions of this updated personnel manual shall take effect upon their formal approval by the Board of Commissioners.

Section 4. Transition. The effect of final approval shall generally be immediate, except where a retro-active application is required by law, or in a situation where a prior version of this manual supplies a rule of decision.

CHAPTER 55. DEFINITIONS

As a general rule, where not specifically defined below, words and phrases contained in this Personnel Manual shall be read in context and construed according to the rules of American English grammar and common usage. For purposes of this Personnel Manual, the following specific definitions shall control:

ADA – American with Disabilities Act;

Active Employment - An employee is an active employee so long as that employee is appearing at work or is on paid leave status as defined in this policy. An employee who goes on unpaid leave status shall not qualify as an active employee.

Annual Leave – annual leave shall refer to paid time off for annual leave accrued under this policy; previously referred to as vacation leave.

Board of Commissioners – refers to the elected officials under the City Charter consisting of the Mayor and City Commissioners; see also City Commission;

City - refers to the home rule municipality organized under the laws of the State of Texas known as the City of Pharr, Texas;

City Commission – refers to the elected officials under the City Charter consisting of the Mayor and City Commissioners; see also Board of Commissioners;

City Manager - refers to the City Manager appointed under the Charter or his or her designated representative.

City Management - refers to the City's management structure and includes all supervisory management personnel, at the level called for under the circumstances.

Department - refers to the administrative departmental structure of the City, as set by the City Commission and the City Manager from time to time.

Department Director - refers to the person in charge of an administrative department within the City's organizational structure.

Effective Date – refers to the effective date of this Personnel Policy Manual, as adopted by Resolution of the City Commission.

Employee – any person who receives compensation for services rendered to the City and such compensation is treated as salary, wages, or benefits subject to taxation by the state or federal government.

Employees of the Same Level – refers to employees who do not exercise any authority over each other.

FMLA - refers to the Family Medical Leave Act.

FLSA - refers to the Fair Labor Standards Act;

Health Care Provider – for purposes of this PPM shall refer to a doctor of medicine or osteopathy who is licensed and authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices.

Holiday Pay – refers to a regular rate of pay for each respective employee equivalent to one eight (8) hour shift for the holiday in question.

Holiday, Premium Pay – refers to a rate of pay that is equal to one time the regular rate of pay for the employee, and which is paid in addition to holiday pay defined above, but which is paid only for hours actually worked during a holiday period.

Overtime Pay – refers to a rate of pay that is equal to one and a half times the regular rate of pay calculated pursuant to Fair Labor Standards Act (FLSA) guidelines for determining a rate of pay.

Human Resource Department- refers to the personnel officer.

Managerial Staff – refers to any employees who, by job description, exerts any type of authority over another subordinate employee regardless of official title or pay grade.

MRO - refers to a Medical Review Officer as defined in this Manual.

Municipality – shall be defined as the City of Pharr, Texas.

Non-Professional Relationship – refers to a personal relationship between two or more employees that is unduly familiar and does not further the employee(s) job duties, or the employment mission of the City of Pharr.

Paid Time Off – refers to duty time for which an employee will be paid at their regular rate of pay even but are utilizing accrued leave time, such as annual leave, comp time, or sick leave while away from work.

Overtime Pay – refers to the rate of pay required to be paid by state or federal law, such as the Fair Labor Standards Act.

Personnel Officer - refers to the person or office charged with oversight responsibility over personnel issues on a City wide basis.

Personnel Policy Manual, Personnel Manual – refer to this Personnel Policy Manual.

Pro-rated – means to divide, distribute, or calculate in equal portions. For example, an annual salary of X shall be paid on a prorated basis in equal installments throughout the City's fiscal year.

Subordinate Employee – refers to any employee who is supervised by managerial staff.

Vacation Leave – also referred to as annual leave in this policy.

-end-

EXHIBIT "A"

RECEIPT AND ACKNOWLEDGEMENT FORM

I acknowledge receipt of a copy of the Personnel Policy Manual of the City of Pharr, Texas. I understand and agree:

- A. That this manual is the property of the City of Pharr and must be returned to the City upon the termination of my employment with the City, and that failure to do so will result in an employee's final pay being deducted \$20 for the cost of this manual.
- B. It is my obligation to understand all of the provisions of the manual. I can ask my Supervisor, my Department Director, or the Personnel Office any questions I have about this manual.
- C. The manual is not a contract and the information provided is subject to change by the City as the need arises.
- D. Acceptance of the provisions of this manual is a condition of my employment with the City. By accepting employment after the effective date of this manual or by remaining employed by the City after the effective date of this manual, I agree to be bound by the terms and conditions of the manual.

Employee's Printed Name

Employee's Signature

Date Received

Policy Manual No. _____

EXHIBIT "B"
TEXAS GOVERNMENT CODE Section 552.024
Public Access Option Form

The Public Information Act allows employee, public officials, and former employees and officials to elect whether to keep certain information about them confidential. Unless you choose to keep it confidential, the following information about you may be subject to public release if requested under the Texas Public Information Act. Therefore, please indicate whether you wish to allow public release of the following information by checking off or initialing in the appropriate box:

Public Access Election	"Yes"	"No"
Home Address		
Home Telephone Number		
Social Security Number		
Information that reveals whether you have family members		

Printed Name

Date

Signature

EXHIBIT "C"
WAGE DEDUCTION AUTHORIZATION FORM

I recognize that during my employment or upon termination of my employment, I may owe the **CITY OF PHARR** money for a variety of reasons, including without limitations an erroneous overpayment of wages or other benefits and also property damages. Therefore, I, the undersigned employee of **CITY OF PHARR**, acknowledge in the event I owe any such moneys to the **CITY OF PHARR**, I hereby authorize the **CITY OF PHARR** to deduct such amounts from my wages during my employment or from my final wages due and owing upon termination or separation from employment.

I also understand and agree that if I fail or refuse to pay any such amount, **CITY OF PHARR** retains the right to pursue any applicable legal remedies, and may recover reasonable attorney fees and costs of litigation.

By signing this document, I certify I have carefully read and understand all of the authorizations and acknowledgements and voluntarily agree to be bound thereby.

Printed Name

Signature

Date



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.B.

DATE SUBMITTED: August 31, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action, if any, on Ordinance amending Ordinance No. O-2017-22 increasing the membership of the Parks and Recreation Committee from Seven (7) to Nine (9) members.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza
Patricia Rigney
City Management Office

Created/Initiated - 08/31/2017
Approved - 08/31/2017
Final Approval - 09/01/2017

ORDINANCE NO. O-2017-__

AN ORDINANCE AMENDING ORDINANCE NOS. O-2017-22 AND O-84-42, INCREASING THE MEMBERSHIP OF THE PARKS AND RECREATION COMMITTEE FROM SEVEN (7) TO NINE (9), PROVIDING FOR A QUORUM; AND PROVIDING FOR A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY

WHEREAS, the ordinance creating the City of Pharr Parks and Recreation Committee has been approved and adopted; and

WHEREAS, currently City of Pharr Parks and Recreation Committee consists of seven (7) members; and

WHEREAS, the number of members shall be increased from seven (7) to nine (9); and

WHEREAS, Ordinance No. O-2017-22 shall be amended and reinstated to read as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS; THAT:

SECTION A. MODIFICATIONS TO ADVISORY BOARD:

The following provisions shall be amended to read as follows:

ARTICLE II: ADVISORY BOARD

SECTION 9:

- B) The City of Pharr Board of Commissioners shall appoint nine (9) members to the City of Pharr Parks and Recreation Committee. Said Advisory Committee terms shall be three (5) members to serve a three (3) year term and four (4) members to serve a two (2) year term. Appointments to the Advisory Committee shall be at the expiration of their individual term or as needed, in the event of a vacancy. The individual terms will automatically expire at 5:00 p.m. on the anniversary date of their appointed term. The City Commission shall take action to reappoint the member or fill the vacancy at the next scheduled regular meeting following the expiration of the member's term. The Commission may also reappoint the member at a regular scheduled or special called meeting within 30 days of the individual member's term expiration. Regardless of the date of appointment any said term will commence on the anniversary date set above.

SECTION 13. QUORUM

- A) Five (5) of the regular voting members shall constitute a quorum for the transaction of business; and

SECTION B. CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all other ordinances dealing with the subject and other ordinances in direct conflict with this ordinance is herewith repealed and this ordinance shall supersede and provisions in conflict herewith, all other provisions of the above described ordinances shall remain in full force and effect.

SECTION C. SEVERABILITY CLAUSE

If any section, part of provisions of this ordinance is declared unconstitutional or invalid, such declaration shall not affect the validity of the remaining sections, parts or provisions of this Ordinance.

SECTION D: DECLARING AN EMERGENCY CLAUSE

The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring the suspension of the rule that the Ordinance be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 5th day of September, 2017.

CITY OF PHARR

AMBROSIO HERNANDEZ, MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.C.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Janie Benedict, Administrative Assistant

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Consideration and action, if any, on Resolution appointing/re-appointing two (2) regular members and two (2) alternate members to the Planning and Zoning Commission.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Due to the terms of regular members Danny Wylie and Luis Madrigal, and alternate members Porfirio Rodriguez and Noe Pruneda expiring on September 15, 2017, the re-appointment / appointment of two (2) regular members and re-appointment / appointment of two (2) alternate members are needed at this time to the Planning and Zoning Commission.

Financial Consideration: There will be no cost for the re-appointment / appointment to the Planning and Zoning Commission.

Staff Recommendation: Planning staff is recommending the re-appointment / appointment of two (2) regular members and two (2) alternate members to the Planning and Zoning Commission.

Messieurs. Danny Wylie and Luis Madrigal have expressed their desire to continue serving as regular members and Messieurs. Porfirio Rodriguez and Noe Pruneda have expressed their desire to continue serving as alternate members.

Alternatives: N/A

ROUTING:

Janie Benedict	Created/Initiated - 08/29/2017
Roland Gomez	Approved - 08/29/2017
Melanie Cano	Approved - 08/29/2017
City Management Office	Final Approval - 08/30/2017

Danny Wylie (Member)					Luis Madrigal (Member)				
Meeting	Pres.	Absnt	Exc.	UnExc.	Meeting	Pres.	Absnt	Exc.	UnExc.
01/09/2017	1				01/09/2017	1			
01/23/2017		1	1		01/23/2017	1			
02/13/2017		1	1		02/13/2017	1			
02/27/2017	1				02/27/2017	1			
03/13/2017	1				03/13/2017	1			
03/27/2017	1				03/27/2017	1			
04/10/2017	1				04/10/2017	1			
04/24/2017	1				04/24/2017		1	1	
05/08/2017	1				05/08/2017	1			
05/22/2017	1				05/22/2017		1	1	
06/12/2017	1				06/12/2017	1			
06/26/2017	1				06/26/2017		1	1	
07/10/2017		1	1		07/10/2017		1	1	
07/24/2017	1				07/24/2017	1			
08/14/2017	1				08/14/2017		1	1	
08/28/2017					08/28/2017				
09/11/2017					09/11/2017				
09/25/2017					09/25/2017				
10/09/2017					10/09/2017				
10/23/2017					10/23/2017				
11/13/2017					11/13/2017				
11/27/2017					11/27/2017				
12/11/2017					12/11/2017				
12/26/2017					12/26/2017				
01/00/1900					01/00/1900				
Total	12	3	3	0	Total	10	5	5	0

Noe Pruneda (Alternate)					Porfiro Rodriguez (Alternate)				
Meeting	Pres.	Absnt	Exc.	UnExc.	Meeting	Pres.	Absnt	Exc.	UnExc.
01/09/2017					01/09/2017	1			
01/23/2017					01/23/2017	1			
02/13/2017					02/13/2017	1			
02/27/2017					02/27/2017	1			
03/13/2017					03/13/2017	1			
03/27/2017					03/27/2017	1			
04/10/2017					04/10/2017	1			
04/24/2017					04/24/2017	1			
05/08/2017					05/08/2017				
05/22/2017					05/22/2017				
06/12/2017					06/12/2017	1			
06/26/2017					06/26/2017	1			
07/10/2017					07/10/2017	1			
07/24/2017					07/24/2017	1			
08/14/2017					08/14/2017	1			
08/28/2017					08/28/2017				
09/11/2017					09/11/2017				
09/25/2017					09/25/2017				
10/09/2017					10/09/2017				
10/23/2017					10/23/2017				
11/13/2017					11/13/2017				
11/27/2017					11/27/2017				
12/11/2017					12/11/2017				
12/26/2017					12/26/2017				
01/00/1900					01/00/1900				
Total	0	0	0	0	Total	13	0	0	0

STATE OF TEXAS

§

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CITY OF PHARR

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RESOLUTION

NO: R-1017-

WHEREAS, there is hereby a City Planning and Zoning Commission which shall function by making plans and acting as a Zoning Commission being composed of seven (7) members and four (4) alternates to be appointed by the Board of Commissioners, and

WHEREAS, re-appointment/appointment of two (2) regular members and two (2) alternate members need to be made at this time in accordance with City Ordinance No. 0-2007-48 whereby a person, either citizen/resident or Pharr business owner, shall not serve as an officer or member on more than two (2) Pharr board or committee concurrently.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

The following resident of the City of Pharr are hereby re-appointed/appointed as a regular members of the Planning and Zoning Commission; and

NAME:

LENGTH OF TERM

1.

2.

The following resident of the City of Pharr is hereby re-appointed/appointed as an alternate member of the Planning and Zoning Commission.

NAME:

LENGTH OF TERM

1.

2.

**PASSED, APPROVED AND MADE EFFECTIVE BY THE BOARD OF
COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the _____ day of
September, 2017.**

CITY OF PHARR

Ambrosio "Amos" Hernandez, Mayor

ATTEST

Hilda Pedraza, City Clerk



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.D.

DATE SUBMITTED: August 31, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Consideration and action, if any, on Resolution for nomination of candidates to the Hidalgo County Appraisal District Board of Directors for 2018-2019.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

The Hidalgo County Appraisal District is requesting nomination of candidate(s) for the HCAD Board of Directors for 2018-2019. **For this election, each voting taxing unit may nominate one (1) but no more than (5) candidates for the election.** Below you will find important information and dates the 2018-2019 selection/election process.

Before October 16, 2017 – The candidate(s) name(s) must be submitted to the Chief Appraiser by resolution adopted by the governing body.

Before October 31, 2017 – Each voting unit casts its vote by written resolution and submits it to the Chief Appraiser.

Before December 29, 2017 – The Chief Appraiser shall count the votes and declare the candidates who received the largest cumulative vote total elected and submit the results to the governing bodies and to the candidates.

Please be advised that Albert Cardenas was nominated in 2015 to serve in the HCAD Board of Directors.

Financial Consideration: N/A

Staff Recommendation:

Staff recommends the Board of Commissioners to submit the name(s) of the nominee (s) as per attached resolution.

Alternatives: N/A

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 08/31/2017
Final Approval - 09/01/2017

HIDALGO COUNTY APPRAISAL DISTRICT

ADMINISTRATION

Rolando Garza, Chief Appraiser
Jorge Gonzalez, Asst. Chief Appraiser
PO Box 208
Edinburg, TX 78540-0208
(956) 381-8466 (956) 565-2461
Administration Fax: (956) 289-2120



www.hidalgoad.org

BOARD OF DIRECTORS

Richard A. Garza	Chairman
David Hernandez	Vice-Chairman
Amador Requenez	Secretary
Albert D. Cardenas	Member
Aquiles "Jimmy" Garza	Member
Pablo "Paul" Villarreal, Jr.	Member

August 28, 2017

City Manager
City of Pharr
118 S. Cage Blvd.
Pharr, TX 78577



CITY MANAGERS OFFICE

Re: Election of Board of Directors 2018-2019

Dear City Manager:

The Hidalgo County Appraisal District is governed by a Board of Directors that are appointed by vote of the taxing units that participate in the district. In accordance with Section 6.03 of the Property Tax Code, the Appraisal District will be conducting the 2018-2019 election for the Board of Directors of the Hidalgo County Appraisal District. Attached you will find important information and dates for you to keep in mind for the 2018-2019 election process.

The Board of Directors consists of six (6) members, five (5) voting members who are appointed by vote and one (1) nonvoting member, which is the County Tax Assessor/Collector. Therefore, for this election each voting taxing unit may nominate one (1) but no more than five (5) candidates for the election. The candidate(s) name(s) must be submitted to the Chief Appraiser by resolution adopted by the governing body before **October 16th**.

The Chief Appraiser shall prepare and deliver to the presiding officer of the governing body of each voting taxing unit a ballot listing all the candidates whose names were timely submitted and the taxing unit's voting entitlement before **October 30th**. The governing body of each voting taxing unit shall determine its vote by resolution and submit such resolution before **December 15th** to the Chief Appraiser.

Before December 29, 2017, the Chief Appraiser shall declare the five candidates that received the most votes elected and submit the results to the candidates and the governing bodies of the taxing entities.

If I may be of further assistance in providing you additional information regarding the selection/election process, please do not hesitate to contact me at (956) 381-8466.

Sincerely,

A handwritten signature in black ink that reads "Rolando Garza". The script is cursive and fluid.

Rolando Garza, RPA
Chief Appraiser

RG:pma

Attachment

HIDALGO COUNTY APPRAISAL DISTRICT

ADMINISTRATION

Rolando Garza, Chief Appraiser
Jorge Gonzalez, Asst. Chief Appraiser
PO Box 208
Edinburg, TX 78540-0208
(956) 381-8466 (956) 565-2461
Administration Fax: (956) 289-2120



www.hidalgoaad.org

BOARD OF DIRECTORS

Richard A. Garza	Chairman
David Hernandez	Vice-Chairman
Amador Requenez	Secretary
Albert D. Cardenas	Member
Aquiles "Jimmy" Grza	Member
Pablo "Paul" Villarreal, Jr.	Member

 Hidalgo County Appraisal District Timeline Election of Board of Directors 2018 - 2019	
August 2017 But before October 1, 2017	Notify all presiding officers of each taxing unit about upcoming election and their voting entitlement for the 2018-2019 election for the Board of Directors for the Appraisal District.
But before October 16, 2017	The Presiding Officer of the unit submit the names of the nominees by written resolution to the Chief Appraiser.
But before October 31, 2017	Each voting unit cast it vote by written resolution and submits it to the Chief Appraiser.
But before December 29, 2017	The Chief Appraiser shall count the vote and declare the candidates who received the largest cumulative vote total elected and submit the results to the governing bodies and to the candidates.

RESOLUTION NO. R-2017- ____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR
TEXAS EXPRESSING ITS NOMINATION FOR APPRAISAL DISTRICT DIRECTORS
FOR 2018-2019 ON THE HIDALGO COUNTY APPRAISAL DISTRICT BOARD OF
DIRECTORS**

WHEREAS, the Board of Commissioners of the City of Pharr is authorized to make nominations for each position to be filled in the Hidalgo County Appraisal District Board of Directors; and

WHEREAS, these directors shall serve a two (2) year term beginning January 1, 2016 and that all taxing entities associated with the Hidalgo County Appraisal District are authorized to nominate one person for said Board; and

WHEREAS, the Board of Commissioners of the City of Pharr must submit the name of the nominee by written resolution to the Chief Appraiser by October 16, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS that the name of:

is hereby nominated by the City of Pharr to the Hidalgo County Appraisal District Board of Directors.

FURTHER, the City of Pharr directs the Chief Appraiser to submit said nomination for consideration by all taxing entities within the Hidalgo County Appraisal District in the upcoming district election.

PASSED AND APPROVED this the 5th day of September, 2017.

CITY OF PHARR

Ambrosio Hernandez, Mayor

ATTEST:

Hilda Pedraza, City Clerk



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.E.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Legal

DIRECTOR:

Agenda Item: Consideration and action, if any, on Resolution in opposition of the construction of the Border Wall along the United States and Mexico Border Region.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: On January 25, 2017, President Donald Trump signed Executive Order 13767 that proposes to build a border wall along the entire U.S.-Mexico border through a series of steps under the Border Security and Immigration Enforcement Improvements Executive Order. Many border-cities affected by the order have made efforts to oppose the wall via resolutions passed by their respective cities & counties.

Financial Consideration:

Staff Recommendation: Approve

Alternatives:

ROUTING:

Hilda Pedraza
Patricia Rigney
City Management Office

Created/Initiated - 09/01/2017
Approved - 09/01/2017
Final Approval - 09/01/2017

RESOLUTION NO. R-2017-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PHARR, TEXAS IN OPPOSITION OF BUILDING BORDER INFRASTRUCTURE, INCLUDING WALLS, LEVEES OR FENCES ALONG THE US-MEXICO BORDER

WHEREAS, border walls and fences have been utilized as a deterrent to illegal immigration and smuggling; and

WHEREAS, advanced information technology solutions also provide effective border security with arguably more efficient use of taxpayer funding; and

WHEREAS, these technological alternatives to border walls mitigate the damage to precious habitat, the displacement of its rare wildlife, and the disruption to a nature-tourism economy generated by refuges and parks, particularly Santa Ana National Wildlife Refuge, along the Rio Grande River; and

WHEREAS, considered the “jewel” of the National Refuge System, Santa Ana has more plant and animal diversity for its size than any other refuge in North America and more than 165,000 nature tourists visit it each year, most of them birders, injecting about \$34 million into the economies of the Rio Grande Valley.

WHEREAS, the communities in Hidalgo County consistently rank among the safest in the United States, and additional border infrastructure would do nothing to improve the effectiveness of deterrence, security, or any other justification used for the construction of the wall, and would instead negatively impact the local economy by detracting hundreds of thousands of yearly visitors to the aforementioned tourist attractions; and

WHEREAS, the allocated resources for the infrastructure would be better utilized by providing more cost effective methods of enforcing immigration policies, such as technology and additional personnel; and

WHEREAS, the proposed border wall will leave hundreds of thousands of acres of US land on the other side of the wall, severely impacting the highest and best use for the property. The border wall would cut off large swaths of land and divide privately-owned property, much of which has been owned by families for generations, and further cause devaluation of all properties along the border; and

WHEREAS, any method devised to pay for such a border wall may require up to \$25 billion U.S. taxpayer funds or subsidies supported by an import tariff or “Border Tax” on Mexican goods imported to the U.S. or U.S. goods entering Mexico resulting in a “trade war” which leads to market instability in terms of job creation, economic development,

substantial increases in the costs of goods passed to consumers, and a negative cultural impact; and

WHEREAS, the wall would cause serious environmental damage to the ecosystem of the Rio Grande Valley by increasing emissions, cutting off natural water flows, and disturbing wildlife migration routes; and

NOW, THEREFORE, BE IT RESOLVED that on this the 5th Day of September, 2017, the City Council of the City of Pharr, Texas hereby expresses its opposition to the construction of any border walls, levees or fences along the US-Mexico Border, and further denounces the expenditure of federal funds for said purpose; and

LET IT BE FURTHER RESOLVED, that the City Council urges the President of the United States of America, and the United States Congress, to re-consider the use of taxpayer money for border infrastructure, and instead utilize the allocated resources to provide more cost effective methods of enforcing immigration policies, such as technology and additional personnel, which would create jobs and stimulate the region, as opposed to the negative effects associated with a wall.

PASSED AND APPROVED this the 5th day of September, 2017.

CITY OF PHARR

Ambrosio Hernandez, M.D., MAYOR

ATTEST:

Hilda Pedraza, City Clerk

APPROVED AS TO FORM:

Patricia Rigney, CITY ATTORNEY



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 6.F.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Legal

DIRECTOR:

Agenda Item: Consideration and action, if any, on Resolution opposing Senate Bill 4.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Texas Senate Bill 4, the so-called "sanctuary cities" law will become effective September 1, 2017, not all cities/counties are in favor of the new legislation.

It's known as the sanctuary cities law, and SB 4 will give law enforcement the authority to question the immigration status of anyone they detain or arrest (for any reason). Widespread opposition argues that it will lead to racial profiling and discrimination.

A resolution will place the City of Pharr on the record in opposition to the law.

Financial Consideration:

Staff Recommendation: Consider passing resolution.

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017

Patricia Rigney
City Management Office

Approved - 09/01/2017
Final Approval - 09/01/2017

RESOLUTION NO. R-2017-__

**A RESOLUTION OF THE CITY OF PHARR OPPOSING SENATE BILL 4 OF
THE 85TH REGULAR SESSION OF THE TEXAS LEGISLATURE; FINDING
THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO
THE PUBLIC AS REQUIRED BY LAW**

WHEREAS, on May 3, 2017, the Texas Legislature approved Senate Bill 4 ("SB 4"), commonly known as the "Sanctuary Cities Bill" and Governor Gregg Abbott signed SB 4 into law on May 7, 2017; and

WHEREAS, SB 4 goes into effect on September 1, 2017 and requires local authorities to assist federal immigration enforcement without any additional funding; and

WHEREAS, the law authorizes the State to bring an action to impose fines if any municipal officer or employee fails to comply with SB 4, and may subject a municipality to fines up to \$25,500 for each day of noncompliance after the first day; and

WHEREAS, SB 4 could prevent victims and witnesses from reporting crimes to and cooperating with local enforcement officials; and

WHEREAS, the law subjects a Police Chief to prosecution for Class A misdemeanor for failure to comply with federal immigration enforcement requests as deemed "reasonable and necessary" at the sole discretion of the federal government,

WHEREAS, elected or appointed officials are subject to forfeiture and removal for failure to enforce SB 4, thus chilling First Amendment rights by chilling policy dissent.

NOW, THEREFORE, BE IT RESOLVED, THE CITY COMMISSION OF THE CITY OF PHARR, TEXAS, THAT:

The City of Pharr, Texas firmly condemns Senate Bill 4 of the 85th Regular Session of the Texas Legislature, supports all efforts to thwart the restrictions and unfunded mandates of the law, and opposes any efforts to further the enforcement of this bill.

PASSED AND APPROVED this the 5th day of September, 2017, at a regular meeting of the Board of Commissioners of the City of Pharr, Texas at which a quorum was present and which was held in accordance with Chapter 552 of the Texas Government Code.

CITY OF PHARR

Ambrosio Hernandez, M.D., MAYOR

ATTEST:

Hilda Pedraza, City Clerk

APPROVED AS TO FORM:

Patricia A. Rigney, City Attorney



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 7.A.

DATE SUBMITTED: August 23, 2017

MEETING DATE: September 5, 2017

FROM: Imelda Barrera, Assistant City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action, if any, awarding bid for property at 504 W. Juarez Ave. Bid No. 1617-01-510-0039.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: Awarding bid of property at 504 W. Juarez Ave.

Financial Consideration: None.

Staff Recommendation: Awarding bid to highest bidder in the amount of \$5,500.

Alternatives: N/A

ROUTING:

Imelda Barrera
City Management Office

Created/Initiated - 08/23/2017
Final Approval - 09/01/2017

BID TABULATION SHEET

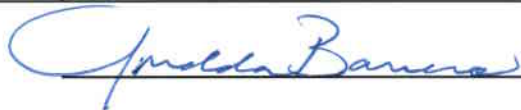
OWNER: CITY OF PHARR

PROJECT NAME: 504 W. JUAREZ AVE.

Bid No.1617-01-510-0039

DATE: August 23, 2017 @ 4:00 pm

	NAME OF COMPANY	DESCRIPTION	UNIT PRICE	TOTAL
1	Oscar Santos			\$5500.00
2	Jorge Luis Salazar			\$5100.00
3				
4				
5				
6				
7				



Signature of Person Opening Bids

STAFF MEMBERS PRESENT

1 Imelda Barrera
 2 Veronica Gutierrez
 3 _____
 4 _____
 5 _____
 6 _____
 7 _____

OTHERS PRESENT

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____
 7 _____



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 7.B.

DATE SUBMITTED: August 29, 2017

MEETING DATE: September 5, 2017

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action, if any, on options for Logos on the City of Pharr's elevated storage tanks.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason: N/A

Issue: Proposed logos for the four (4) Water Elevated Storage Tanks. Staff is proposing two types of logos. One type of logo will be used at the South Pharr Water Elevated Storage Tank and the second logo type will be used on the remaining three Elevated Storage Tanks. These two logo types are shown on the attachments.

Financial Consideration: Pending Approval

Staff Recommendation: Staff recommends approval of two different logo types as shown on the attachments. One logo type will be used for the South Pharr Elevated Storage Tank and the second logo type will be used on the remaining three tanks which are the new Eldora Tank, Knights Drive Tank and the Expressway 83 Tank.

Alternatives: N/A

ROUTING:

Omar Anzaldua
City Management Office

Created/Initiated - 08/29/2017
Final Approval - 09/01/2017

Tank Reservoir Elevation

LOGO 1 & 2

Planar measurements of graphics.

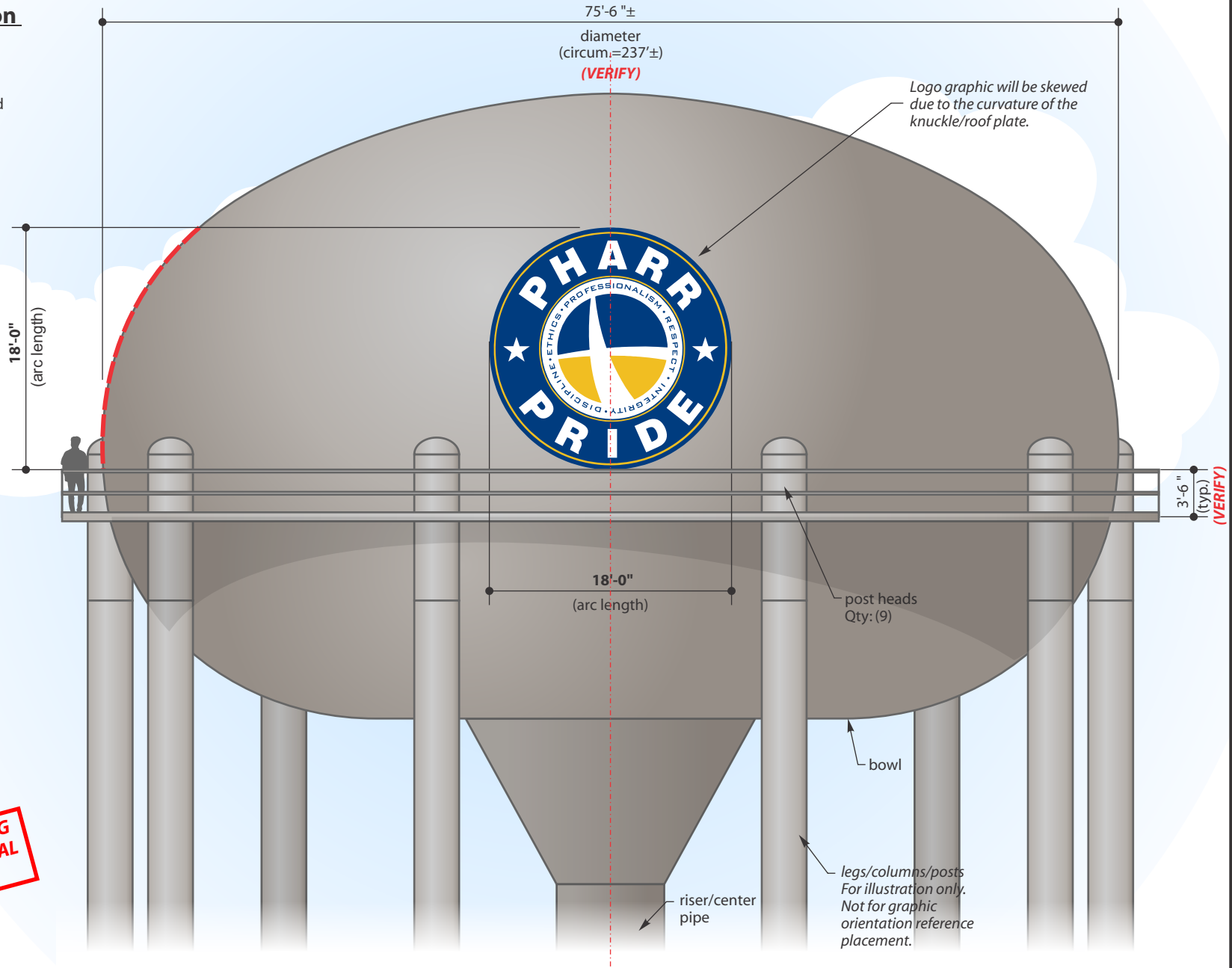
Tank measurements shown are based on a typical 1M gallon tank.

Owner / Engineer should verify all measurements prior to final approvals and production.

Quantity: (2) sides.
NORTH & SOUTH.
Orientation to be determined / verified in the field by owner / engineer.

-  Tnemec Lemon Yellow / Safety 02SF
-  Tnemec Cadet Blue 14BL
-  Tnemec White 00WH
-  Carboline 133HB J749 Louisiana Gray (SATIN FINISH)

**FIELD VERIFY TANK SIZING
PRIOR TO FINAL APPROVAL
AND PRODUCTION.**



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Blastco - TX
Design: Pharr TX N Knight Dr 1MG EWT C2
Revision Date: 08-22-17
First Print Date: 01-24-14
Scale: 3/32"=1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.

Signature _____

APPROVED ☐ **DATE** _____

APPROVED AS NOTED ☐ **DATE** _____

REVISE + RESUBMIT ☐ **DATE** _____

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Tank Reservoir Elevation

LOGO 3 & 4

Planar measurements of graphics.

Tank measurements shown are based on a typical 1M gallon tank.

Owner / Engineer should verify all measurements prior to final approvals and production.

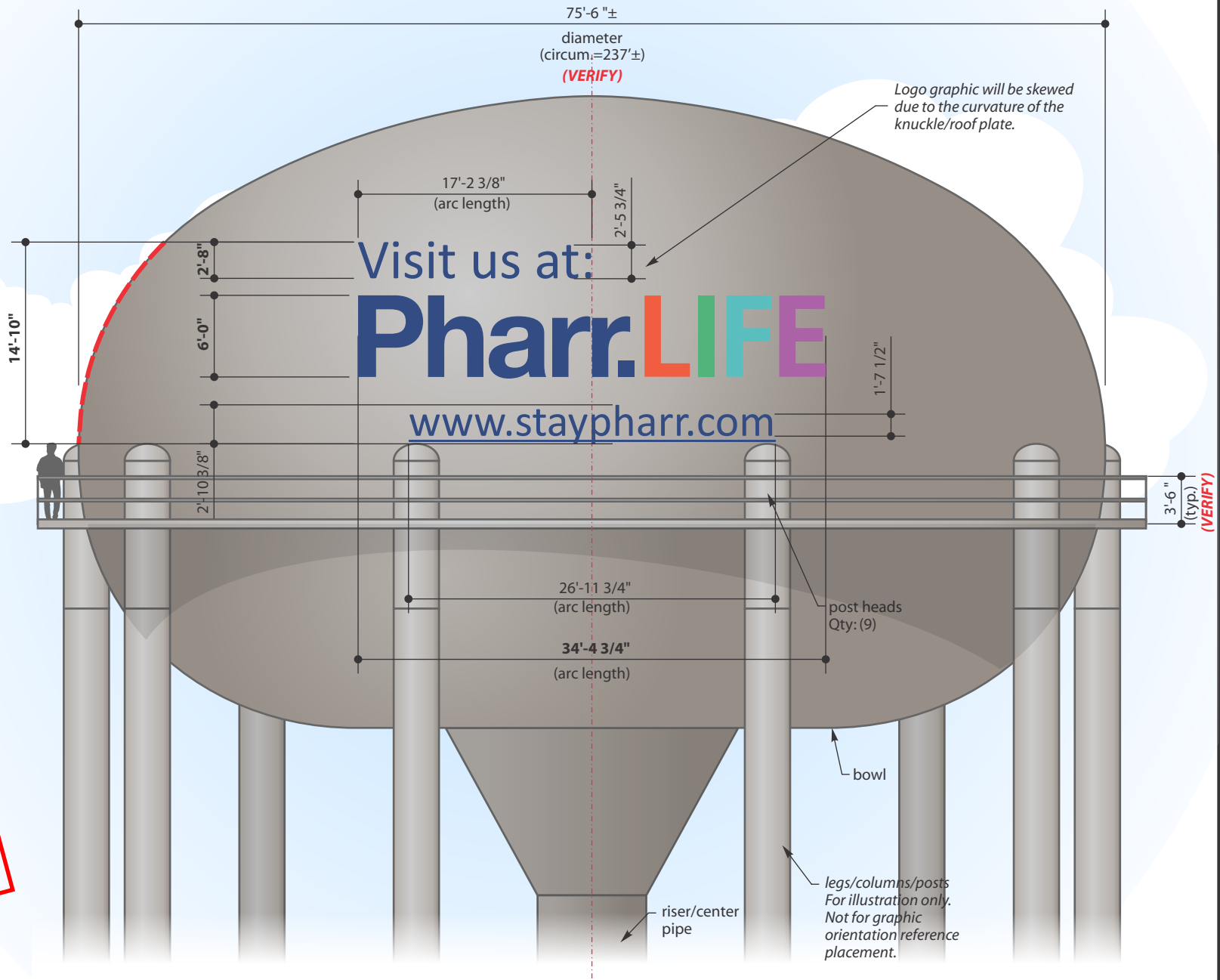
Quantity: (2) sides.

EAST & WEST.

Orientation to be determined / verified in the field by owner / engineer.

-  Tnemec Tangerine Orange / Safety 04SF
-  Tnemec Spearmint Green / Safety 09SF
-  Tnemec Fountainbleu 25BL
-  Tnemec Purple Rain / Safety 14SF
-  Tnemec Cadet Blue 14BL
-  Carboline 133HB J749 Louisiana Gray (SATIN FINISH)

**FIELD VERIFY TANK SIZING
PRIOR TO FINAL APPROVAL
AND PRODUCTION.**



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Blastco - TX
Design: Pharr TX N Knight Dr 1MG EWT C2
Revision Date: 08-22-17
First Print Date: 01-24-14
Scale: 3/32" = 1'-0" ±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.

Signature _____

APPROVED ☐ **DATE** _____

APPROVED AS NOTED ☐ **DATE** _____

REVISE + RESUBMIT ☐ **DATE** _____

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Tank Reservoir Elevation

LOGO 1 & 2

Planar measurements of graphics.

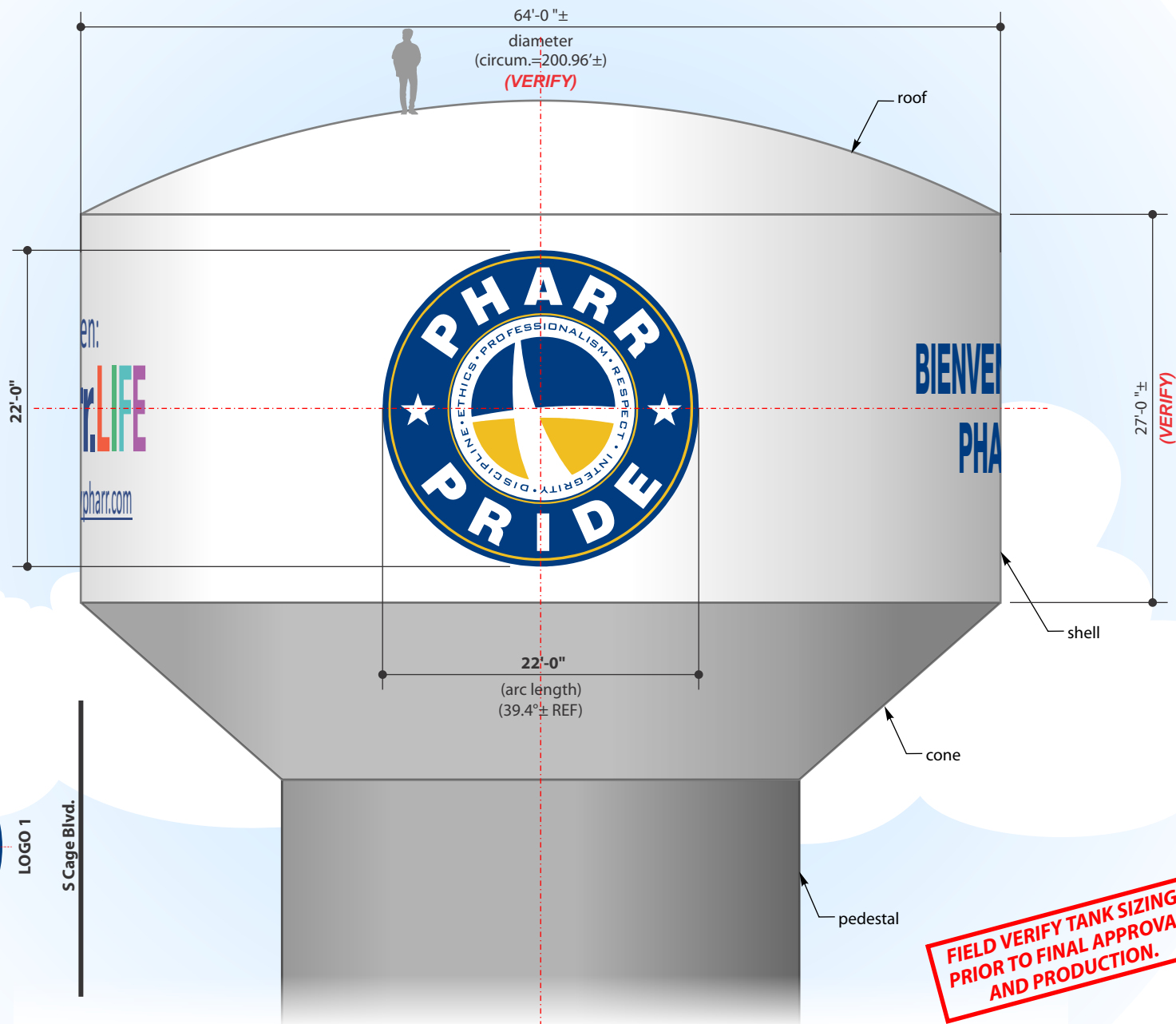
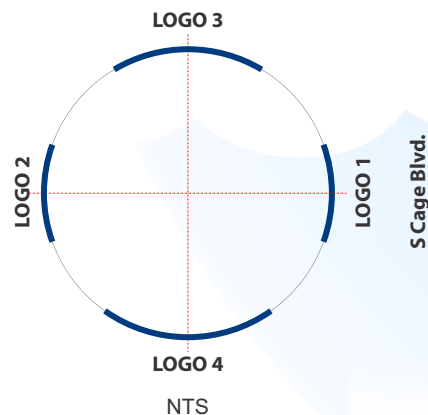
Tank measurements shown are based on a typical 750K Composite storage tank and client-provided measurements and logo graphics.

Owner / Contractor should verify all measurements prior to final approvals and production.

Quantity: (2) sides.

EAST & WEST.

Orientation to be determined / verified in the field by owner.



**FIELD VERIFY TANK SIZING
PRIOR TO FINAL APPROVAL
AND PRODUCTION.**



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Blastco - TX
Design: Pharr TX S Cage Blvd 750KG PDM CET C2
Revision Date: 08-22-17
First Print Date: 06-28-17
Scale: 3/32"=1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.

Signature _____

APPROVED ☐ DATE _____

APPROVED AS NOTED ☐ DATE _____

REVISE + RESUBMIT ☐ DATE _____

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3**

Tank Reservoir Elevation LOGO 3

Planar measurements of graphics.

Tank measurements shown are based on a typical 750K Composite storage tank and client-provided measurements and logo graphics.

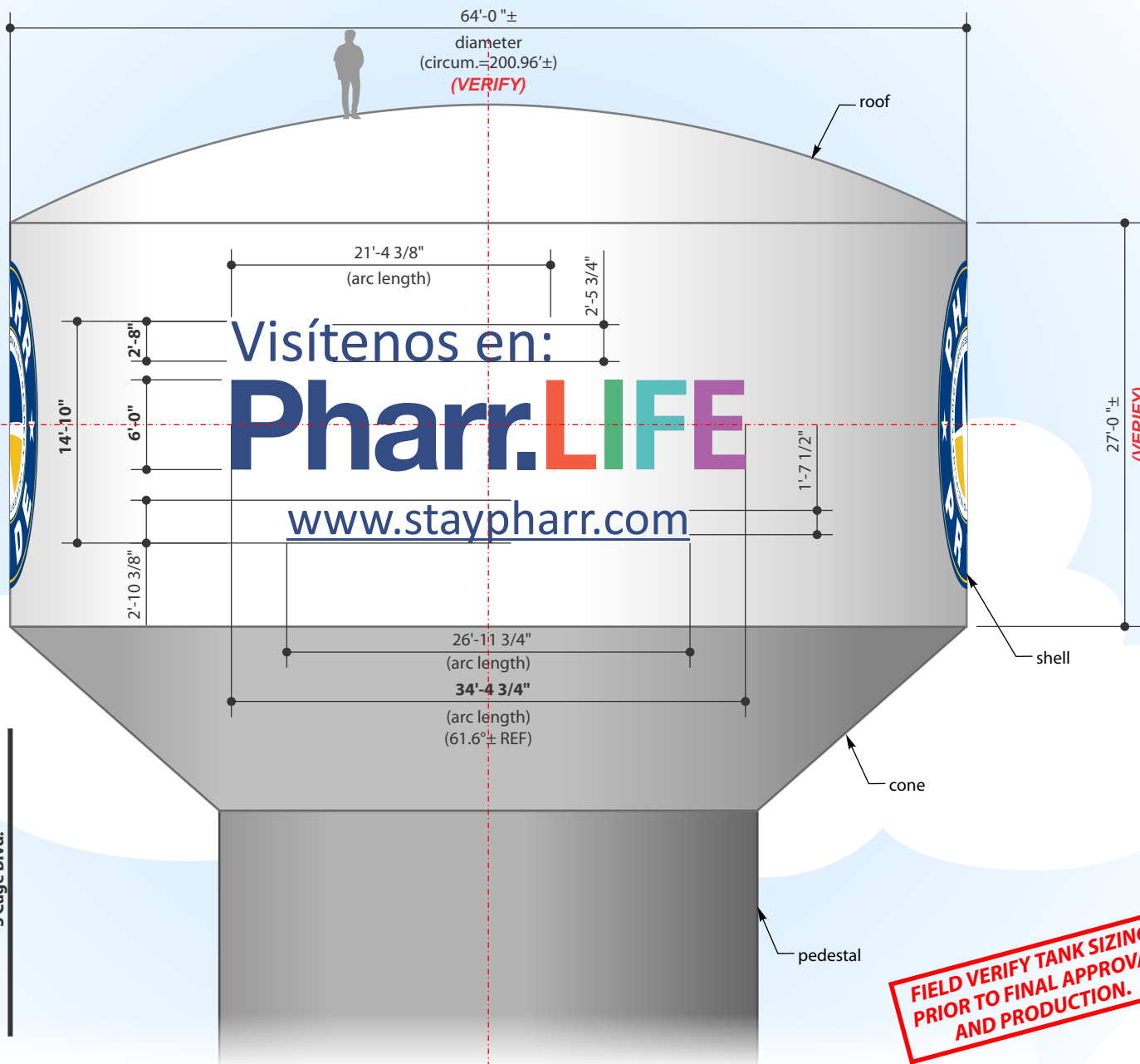
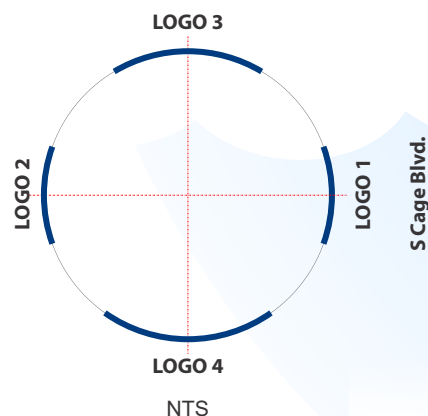
Owner / Contractor should verify all measurements prior to final approvals and production.

Quantity: (1) side.

NORTH.

Orientation to be determined / verified in the field by owner.

	Tnemec Tangerine Orange / Safety 04SF		Tnemec Purple Rain / Safety 14SF
	Tnemec Spearmint Green / Safety 09SF		Tnemec Cadet Blue 14BL
	Tnemec Fountainbleu 25BL		Tnemec White 00WH



**FIELD VERIFY TANK SIZING
PRIOR TO FINAL APPROVAL
AND PRODUCTION.**



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Blastco - TX
Design: Pharr TX S Cage Blvd 750KG PDM CET C2
Revision Date: 08-22-17
First Print Date: 06-28-17
Scale: 3/32"=1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.

Signature _____

APPROVED ☐ **DATE** _____

APPROVED AS NOTED ☐ **DATE** _____

REVISE + RESUBMIT ☐ **DATE** _____

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Tank Reservoir Elevation

LOGO 4

Planar measurements of graphics.

Tank measurements shown are based on a typical 750K Composite storage tank and client-provided measurements and logo graphics.

Owner / Contractor should verify all measurements prior to final approvals and production.

Quantity: (1) side.

SOUTH.

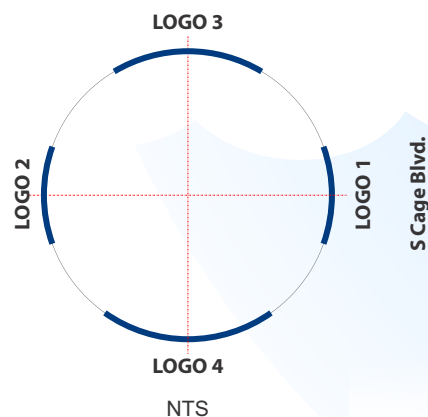
Orientation to be determined / verified in the field by owner.



Tnemec
Cadet Blue
14BL



Tnemec
White 00WH



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Blastco - TX
Design: Pharr TX S Cage Blvd 750KG PDM CET C2
Revision Date: 08-22-17
First Print Date: 06-28-17
Scale: 3/32" = 1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.

Signature _____

APPROVED ☐ DATE _____

APPROVED AS NOTED ☐ DATE _____

REVISE + RESUBMIT ☐ DATE _____

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Tank Reservoir Elevation LOGO 2

Planar measurements of graphics.

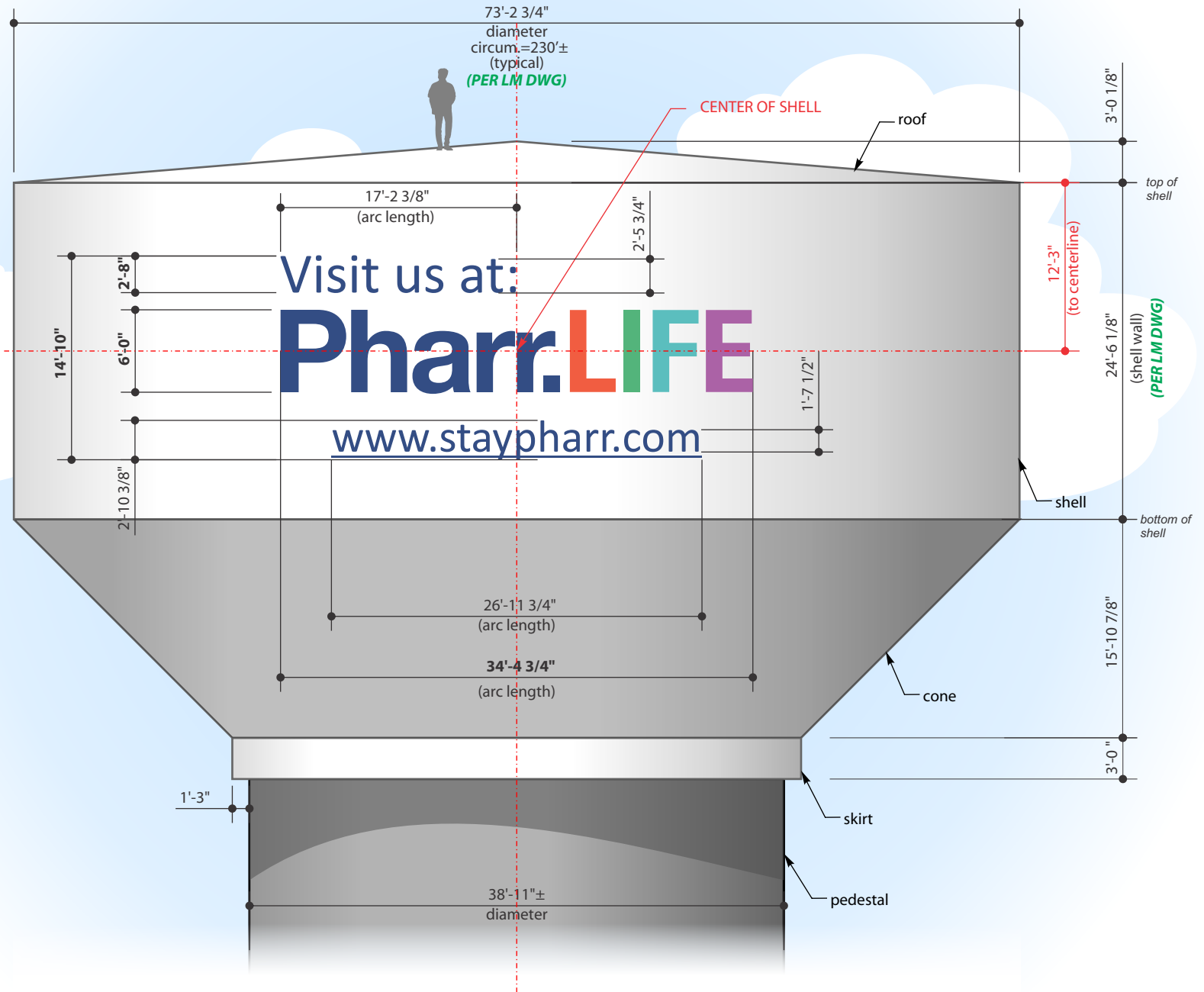
Tank measurements shown are based on a typical 1M gallon Landmark composite elevated tank.

Engineer / Owner should verify all measurements prior to final approvals and production.

Quantity: (2) sides.
EAST & WEST.

Orientation to be located / verified in the field by Owner.

	Tnemec Tangerine Orange / Safety 04SF
	Tnemec Spearmint Green / Safety 09SF
	Tnemec Fountainbleu 25BL
	Tnemec Purple Rain / Safety 14SF
	Tnemec Cadet Blue 14BL
	Tnemec White 00WH



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Landmark
Design: Pharr TX Eldora LM1569 1MG CET CO
Revision Date: 08-22-17
First Print Date: 06-28-17
Scale: 3/32"=1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.

Signature _____

APPROVED ☐ DATE _____

APPROVED AS NOTED ☐ DATE _____

REVISE + RESUBMIT ☐ DATE _____

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AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 7.C.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Sonia Barajas, CDBG Secretary

DEPARTMENT: GMCD

DIRECTOR: Raul Garza

Agenda Item: Consideration and action, if any, on approval of the draft Regional Assessment of Fair Housing Plan.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: The Assessment of Fair Housing (AFH) is a legal requirement (HUD) that Hidalgo County municipal governments and housing authorities (along with Urban County of Hidalgo) must comply with in the form of a Regional Assessment of Fair Housing Plan. Collectively these entities developed a collaborative effort to accomplish this task in order to continue receiving federal housing and community development funding from the U.S. Dept. of Housing & Urban Development (HUD). Specifically, the AFH is an analysis undertaken pursuant to 24 CFR Part 5.154 that includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals specific to Hidalgo County.

The City of Pharr is one of the collaborative program participants and the CDBG staff was the Chairperson for two (2) Sub-Committees: (1) a Transportation Sub-Committee and (2) an Employment Sub-Committee that met numerous times throughout a year-long schedule working to collect data related to the subcommittee, inspect and consider the data and finalize the data into an analytical report to be combined with the total categories of the Fair Housing Plan.

The plan must be submitted at the earliest date required of the participating entities. The collaboration partners followed the Hidalgo County Urban County's Action Plan

timeline in order to have the Fair Housing Plan complete/submitted and approved by HUD prior on a timely basis. The plan will be submitted to HUD by October 18, 2017.

Financial Consideration: N/A

Staff Recommendation: Staff recommends approval of the plan.

Alternatives: N/A

ROUTING:

Sonia Barajas

Created/Initiated - 09/01/2017

Raul Garza

Approved - 09/01/2017

Patricia Rigney

Approved - 09/01/2017

City Management Office

Final Approval - 09/01/2017

Assessment of Fair Housing Tool

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I. Cover Sheet

1. Submission date: October 4, 2017

2. Submitter name: Hidalgo County

3. Type of submission (*e.g.*, single program participant, joint submission):

Joint Submission

4. Type of program participant(s) (*e.g.*, consolidated plan participant, PHA):

Consolidated Plan Participant and PHA

5. For PHAs, Jurisdiction in which the program participant is located:

Hidalgo County

6. Submitter members (if applicable):

1. Hidalgo County Urban County Program
2. City of Edinburg
3. City of McAllen
4. City of Mission
5. City of Pharr
6. Housing Authority of the County of Hidalgo
7. Housing Authority of the City of Alamo
8. Housing Authority of the City of Donna
9. Housing Authority of the City of Edinburg
10. Housing Authority of the City of Edcouch
11. Housing Authority of the City of Elsa

12. Housing Authority of the City of Hidalgo
13. Housing Authority of the City of La Joya
14. Housing Authority of the City of McAllen
15. Housing Authority of the City of Mercedes
16. Housing Authority of the City of Mission
17. Housing Authority of the City of Pharr
18. Housing Authority of the City of San Juan
19. Housing Authority of the City of Weslaco

7. Sole or lead submitter contact information:

- a. Name: Diana R. Serna
- b. Title: Director
- c. Department: Urban County Program
- d. Street address: 427 E. Duranta
- e. City: Alamo
- f. State: Texas
- g. Zip code: 78516

8. Period covered by this assessment:

Program Years 2018 – 2022

9. Initial, amended, or renewal AFH:

Initial

10. To the best of its knowledge and belief, the statements and information contained herein are true, accurate, and complete and the program participant has developed this AFH in compliance with the requirements of 24 C.F.R. §§ 5.150-5.180 or comparable replacement regulations of the Department of Housing and Urban Development;

Yes

11. The program participant will take meaningful actions to further the goals identified in its AFH conducted in accordance with the requirements in §§ 5.150 through 5.180 and 24 C.F.R. §§ 91.225(a)(1), 91.325(a)(1), 91.425(a)(1), 570.487(b)(1), 570.601, 903.7(o), and 903.15(d), as applicable.

All Joint and Regional Participants are bound by the certification, except that some of the analysis, goals or priorities included in the AFH may only apply to an individual program participant as expressly stated in the AFH.

HIDALGO COUNTY

Ramon Garcia, County Judge

ATTEST

Arturo Guajardo, Jr., County Clerk

CITY OF EDINBURG

Richard M. Hinojosa, City Manager

ATTEST

Myra Ayala-Garza, City Secretary

CITY OF MCALLEN

James E. Darling, Mayor

ATTEST

Perla Lara, TRMC/CMC, CPM
City Secretary

CITY OF MISSION

Martin Garza, Jr., City Manager

ATTEST

Anna Carrillo, City Secretary

CITY OF PHARR

ATTEST

CITY OF ALAMO HOUSING AUTHORITY

Mary Vela, Director

ATTEST

Lori Dimas, Executive Assistant

CITY OF DONNA HOUSING AUTHORITY

Bob Gonzalez, Director

ATTEST

CITY OF EDCOUCH HOUSING AUTHORITY

Jarrett Castillo, Chairman

ATTEST

Arturo Alvarez, Secretary

CITY OF ELSA HOUSING AUTHORITY

Rolando Garza, Chairman

ATTEST

CITY OF EDINBURG HOUSING AUTHORITY

Joe Rodriguez, Chairman

ATTEST

Rodolfo “Rudy” Ramirez, Executive Director

HOUSING AUTHORITY OF THE COUNTY OF HIDALGO

Mike Lopez, Executive Director

ATTEST

Dora Quintanilla, Executive Secretary

HOUSING AUTHORITY OF THE CITY OF HIDALGO

, Director

ATTEST

...

CITY OF LA JOYA HOUSING AUTHORITY

Frances Salinas De Leon, Director

ATTEST

Blanca Valdez, Clerk

CITY OF MCALLEN HOUSING AUTHORITY

Arnold Padilla, Executive Director

ATTEST

, Secretary

CITY OF MERCEDES HOUSING AUTHORITY

, Executive Director

ATTEST

, Director of Housing Operations

CITY OF MISSION HOUSING AUTHORITY

Joel A. Gonzalez, Executive Director

ATTEST

Jaime X. Ayala, Deputy Executive Director

CITY OF PHARR HOUSING AUTHORITY

Noel De Leon, Director

ATTEST

Lazaro Guerra, Finance/Human Resource Director

CITY OF SAN JUAN HOUSING AUTHORITY

Ignacio Almaguer, Chairman

ATTEST

Ruben Zavala, Executive Director

CITY OF WESLACO HOUSING AUTHORITY

George Pina, Executive Director

ATTEST

Gloria Garza, Programs Director

Departmental acceptance or non-acceptance:

(Signature) (date)

Comments

II. Executive Summary

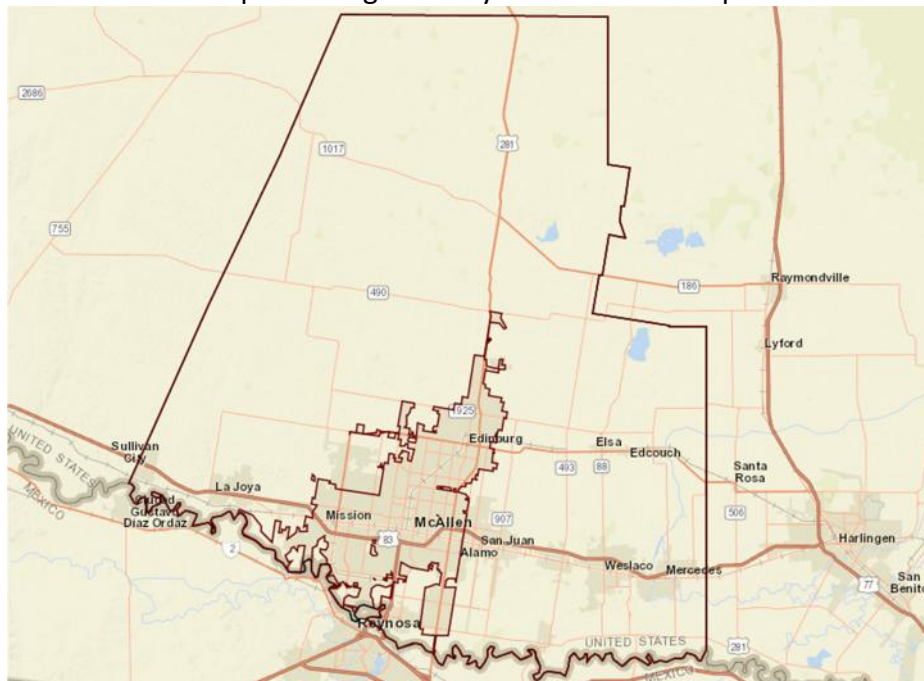
1. Summarize the fair housing issues, significant contributing factors, and goals. Also include an overview of the process and analysis used to reach the goals.

The federal Fair Housing Act prohibits housing-related discrimination on the basis of race, color, religion, sex, familial status, national origin or disability. The U.S. Department of Housing and Urban Development (HUD) is charged with the implementation and enforcement of the Federal Fair Housing Act. Recipients of HUD funding must adhere to the provisions within the Act including those outlined in the Affirmatively Furthering Fair Housing (AFFH) Final Rule (July 2015). In order to comply with HUD requirements and the AFFH, the recipients of HUD funds must compose an Assessment of Fair Housing (AFH) in advance of the organization's next Five-Year Plan.

In an effort to combine resources and strengthen partnerships, the entitlement communities and the Public Housing Authorities of Hidalgo County entered into a Collaborative Interlocal Agreement for the development and submission of a Regional AFH. The document herein refers to the nineteen (19) participants as "Collaborative Partners". While the entitlement communities have co-developed three Consolidated Plan and Strategy documents over the last thirteen (13) years, the AFH represents the first collaboration in which the local Public Housing Authorities partnered with the Hidalgo County jurisdictions.

Hidalgo County is located along the Texas-Mexico border in the southern most part of Texas. Its metropolitan statistical area (MSA) is McAllen-Edinburg-Mission. According to the 2016 Census Bureau, the population estimate is 849,843.

Map 1: Hidalgo County Jurisdictional Map



HUD determined the AFH due date as 270 days prior to the program year for which a new consolidated plan is due. For Hidalgo County – Urban County Program (UCP), submission of the AFH must occur on or before October 4, 2017. Due to their overarching jurisdictional boundaries, varied HUD funding sources and having the earliest submittal date, UCP was selected as the lead entity.

For the purposes of the preparation of this document, the five (5) entitlement communities and their respective housing authorities represent the Executive Committee Members. The remaining housing authorities located in Hidalgo County are members of the General Committee. The collaborative partners and their designation are as follows:

Table 1: Collaborative Partners

	Entity	Role
1.	Hidalgo County Urban County Program	Lead Entity
2.	City of Edinburg	Executive Member
3.	City of McAllen	Executive Member
4.	City of Mission	Executive Member
5.	City of Pharr	Executive Member
6.	Housing Authority of County of Hidalgo	Executive Member
7.	Housing Authority of the City of Alamo	General Member
8.	Housing Authority of the City of Donna	General Member
9.	Housing Authority of the City of Edinburg	Executive Member
10.	Housing Authority of the City of Edcouch	General Member
11.	Housing Authority of the City of Elsa	General Member
12.	Housing Authority of the City of Hidalgo	General Member
13.	Housing Authority of the City of La Joya	General Member
14.	Housing Authority of the City of McAllen	Executive Member
15.	Housing Authority of the City of Mercedes	General Member
16.	Housing Authority of the City of Mission	Executive Member
17.	Housing Authority of the City of Pharr	Executive Member
18.	Housing Authority of the City of San Juan	General Member
19.	Housing Authority of the City of Weslaco	General Member

As a result of the joint effort, this document was developed to assess whether individuals and families have the information, opportunity, and options to live where they choose without unlawful discrimination related to race, color, religion, sex, familial status, national origin, or disability and assess whether housing options are realistically available in integrated areas and areas with access to opportunity. In brief, the following actions were undertaken as part of resident, stakeholder and community participation solicitation:

- Consulted with HUD staff throughout the development of the AFH process
- Created committees for the following topics:
 - Education

- o Employment
- o Transportation
- o Poverty
- o Environmental Health and Issues
- o Disproportionate Housing Needs
- o Publicly Supported Housing
- o Disability and Access
- Conferred with the local University, University of Texas Rio Grande Valley (UTRGV), to assist in the development of a comprehensive survey
- Created a bilingual (English and Spanish) Fair Housing Community Survey
- Regionally promoted the survey through various media outlets
- Allowed for a bilingual submission of survey responses through on-line or paper medium
- Conducted community, stakeholder and state/federal officials meetings throughout the County
- Engaged local housing advocacy groups to provide outreach and obtain survey responses in colonia and rural areas

Subsequent to the analysis of HUD provided maps and tables and the solicitation of local input, the document was developed to identify contributing factors which preclude a person's ability to access quality housing in choice neighborhoods. The list of factors that have been identified as contributing to these fair housing issues were then prioritized by the regional participants. Each contributing factor was prioritized as:

1. "High" - Factors that have a direct and substantial impact on fair housing choice
2. "Medium" - Factors that have a less direct impact on fair housing choice, or that the regional participants have a comparatively limited capacity to address
3. "Low" - Factors that have a slight or largely indirect impact on fair housing choice, or that the regional participants have little capacity to address

The following chart provides the listing of factors contributing to fair housing issues:

Table 2: Fair Housing Contributing Factors and Priorities

Contributing Factor	Priority	Discussion
1. Limited access to decent, safe and affordable housing	High	With the prevalence of colonias in Hidalgo County compared with the rest of the state as well as the number of households lacking plumbing and kitchen facilities raise great concern. In addition, rising housing costs and stagnant/low wages inhibit some homeowners and rental providers from readily making housing improvements. Further, overcrowding situations occur more frequently in the region due to cultural norms.
2. Limited access to publicly supported housing	High	Shortages in number of publicly supported units compared to waitlist currently exist for housing authorities in Hidalgo County. Communities have faced decreasing federal support related to homebuyer and rental subsidies over the past few years. Limited number of qualified low-income housing providers are located within the area. Rents particularly in the MSA, reflect a steady increase. Private investment in affordable

		housing is limited or non-existent in some areas.
3. Limited access to transportation	Medium	While regional transportation routes have increased over the past few years, parts of Hidalgo County remain without access or with limited access. Areas of interests, such as health care, social service, educational and commercial facilities are becoming more increasingly accessible; however, the need for reliable and low cost transportation continues to exist.
4. Location and type of affordable housing	Medium	Area struggles with appropriately sized units particularly for families, large size families and multigenerational households. Further, compounding the issue would be cost and severe cost burden concerns. Inequity exists between urban and rural areas in relation to availability of housing.
5. Limited access to equitable financial services	Medium	In the recent past, predatory lending practices occurred in the area. Households who were victims of these lending practices continue to face the ramifications, including poor credit. Also, a lack of financial literacy has posed a hindrance to accessing traditionally available consumer credit. Further, credit agencies often compete for financially uninformed households. Lastly, high number/proportion of Spanish-speaking residents face challenges when reviewing and executing English-composed documents.
6. Lack of resources regarding fair housing	Medium	Housing practices and enforcement vary by community. Information regarding fair housing and the ability to purchase or access housing where one chooses may be impeded by socio- or economic factors. Further, apathy in fair housing issues exists within the community.
7. Limited access to proficient schools	Low	Educational policies, such as open enrollment, may sway or, conversely, limit a person's ability to freely choose the location of their home. Educational inequities are most apparent in areas or jurisdictions where a higher number of non-English speaking persons reside. Some of the school districts within the area face dwindling population while others scramble to accommodate the influx of students.
8. Jurisdictional variations	Low	Inequities in infrastructure, quality of buildings and housing construction and emergency services are apparent between municipalities and rural locales. Social services and access to these services may be hindered by the distance of one's residence to the MSA. Jurisdictions vary in implementation of policies, such as code enforcement, access to job training and job sites as well as availability of services for special needs populations.

The goals and strategies listed herein provide a framework for action to address these fair housing issues and contributing factors. Such actions will be undertaken in the coming years through efforts by the County, Cities and PHAs in conjunction with community stakeholders. The following chart summarizes goals, contributing factors, fair housing issues and metrics and timeframe:

Table 3: Goals, Issues and Proposed Achievements

Goals	Contributing Factors	Fair Housing Issues	Metrics, Milestones and Timeframe for Achievement	Responsible Program Participant
To increase access to affordable housing via homeownership opportunities and/or securing safe and decent rental housing	1 & 2	- Lack of sensitivity in the real estate market regarding the needs of the region	- Increase of 3% utilization rate through 2022 - Increase in 30 affordable housing units annually	All Program Participants
<i>Discussion: The Community Survey and Stakeholder comments revealed a concern with a lack of affordable housing and perceived discrimination by landlords, property managers, mortgage lenders and real estate agents.</i>				
To preserve and rehabilitate the region's existing single family housing stock	1 & 4	- Gentrification of neighborhoods - Familial cultural norms	- Rehabilitation or reconstruction of 45 housing units annually	Entitlement Communities
Discussion: Stakeholders stated that there is a lack of available financial resources to support the preservation and rehabilitation of the region's existing single family housing stock. Further, the Community Survey comments specifically noted a lack of available resources for home accessibility/modifications.				
To improve the living conditions and increase access to areas of opportunity for residents of Hidalgo County	4 & 8	- Disparities in access to opportunity	- Partner with LRGVDC to support goals and projects identified within the provider's long-term strategy. - Program participants will annually review available resources and attempt to ameliorate any disparities	All Program Participants
<i>Discussion: The Community and Stakeholder comments revealed a gap in the availability of public transportation, health services, access to technology, housing and other social service programs.</i>				
To improve housing and supportive services to the region's residents who face lack of access to quality housing	1, 4 & 8	- Lack of understanding of lending industry processes - Beneficiary capacity is often stretched for housing and social service providers	- Bi-annually conduct housing related classes - Conduct 8 Landlord training/outreach events - Encourage similarly funded entities to collaborate and streamline processes	All Program Participants

Discussion: Community Survey comments revealed the concern with access to all neighborhoods both from lenders and landlords. Stakeholder's reports indicate family financial constraints contribute to the lack of access to quality housing and appropriate unit size (specifically for large families).				
To preserve, provide and improve social services for residents including those with special needs, elderly, physically disabled and victims of domestic violence	3 & 8	- Lack of providers understanding of reasonable accommodation requirements	- Financially support 40 non-profit agencies annually	All Program Participants
Discussion: Overarching misunderstanding/miscommunication between recipients of services and personnel representing landlords, schools, employment, and transportation. The Community survey comments revealed that "physical" is the prominent disability identified, for which they commented the need for adequate public transportation and appropriate medical facilities are lacking.				
To expand economic opportunities in Hidalgo County	3, 5 & 8	- Disparities in access to opportunity	- Partner with Texas Workforce Solutions to provide additional outreach services through annual communication - Support goals and projects identified within provider's long term strategy - 10 communication/coordination/outreach efforts to local Economic Development Corporations or Chambers of Commerce	All Program Participants
Discussion: Stakeholders commented that where a family resides has a direct correlation to availability of employment opportunities. The Community Survey comments revealed that education and training were the largest barriers to employment. Spanish-speaking respondents most frequently selected "language" as the barrier to employment opportunities.				
To provide accessible public facilities and infrastructure improvements in an effort to provide access for all persons	8	- Lack of providers understanding of reasonable accommodation requirements - Aging/undersized capacity of infrastructure - Rapid growth/increase in population	- 20 projects annually which improve public facilities/infrastructure to assure access for all	Entitlement Communities
Discussion: The Community Survey comments revealed a lack of adequate storm sewer/drainage, educational/cultural facilities, neighborhood centers and				

<i>running/jogging trails.</i>				
To ensure access to quality education and transportation services	3, 7 & 8	- Disparities in access to opportunity	- Support goals and projects identified within school and transportation service provider's long term strategies	All Program Participants
Discussion: Stakeholder data identifies the colonias and outlying areas as the most in need of regular, fixed-route service throughout the day to meet needs including commuter, medical, and shopping. Stakeholder and Community surveys indicated a gap in technology availability at the various school districts as well as improvements to educational facilities with regards to equal access for persons with special needs.				
To identify and strengthen measures to ameliorate discriminatory practices for protected classes	6 & 8	- Predatory lending practices - Inequality in accessibility to credit	- Continue/strengthen PHA mobilization opportunities - Partner/continue partnerships with agencies whose field of interest provides these services - Provide support, including financial, to the efforts and initiatives of agencies that support housing choice - Create a Fair Housing information and resource web page by 2019	All Program Participants
Discussion: Lack of financial literacy, predatory lending practices and misuse of credit was noted in the Community Survey. Additional concerns included intake processing and qualifying factors in obtaining housing.				

Achieving these goals will be a challenge in light of severe funding constraints. The regional participants have experienced drastic reductions in federal funding over the past decade, and the new AFH requirements are not accompanied by any additional funding. However, there is a commitment to creatively use limited funding to create opportunities and enhance areas of access to opportunities.

The collaborative partners wish to inform the readers of the following notes:

1. Maps: Collaborative partners selected the variable of 1 dot per 100 population as the source to evaluate conditions within the county
2. HUD Data Version: Upon discussion with HUD staff (conference call July 2017), HUD funded recipients who have a submittal date prior to January 1, 2018, are required to utilize the Assessment of Fair Housing Tool for Local Governments (LG2015) which includes Maps and Tables version AFFHT0001.
3. Geographical Discrepancies: Collaborative partners noted slight movement of the relative dots in maps where national origin was one of the variables. Dots appeared to remain within in a few miles of their locale.
4. Minority concentration: For ease of readership, collaborative partners thought it prudent to provide two maps in an effort to fully assess Hispanic and Non-Hispanic populations as well as Mexico as a Country of Origin versus Non-Mexican populations. Because the area is primarily Hispanic/Mexico as a Country of Origin, overlaying these variables distort and/or underscore the other categories/variables/populations.

In addition, the final version will be/may be amended following the comments received during the mandatory thirty (30) day comment period, beginning August 19, 2017 – September 19, 2017. Several public hearings will be held during the 30 day comment period.

III. Community Participation Process

- 1. Describe outreach activities undertaken to encourage and broaden meaningful community participation in the AFH process, including the types of outreach activities and dates of public hearings or meetings. Identify media outlets used and include a description of efforts made to reach the public, including those representing populations that are typically underrepresented in the planning process such as persons who reside in areas identified as R/ECAPs, persons who are limited English proficient (LEP), and persons with disabilities. Briefly explain how these communications were designed to reach the broadest audience possible. For PHAs, identify your meetings with the Resident Advisory Board.**

In an effort to disseminate information about Affirmatively Furthering Fair Housing (AFFH), the regional collaborative partners implemented a wide-ranging community participation strategy. This plan encouraged community participation throughout the entire county and included a community survey which was published/announced via print and social media avenues in both English and Spanish. While the collaborative

partners held several meeting to engage residents and stakeholders' views, the most comprehensive assessment of regional needs came from the use of the on-line survey tool.

The advertisement of the survey first occurred on June 26, 2017, in The Monitor, the newspaper of largest general circulation within Hidalgo County. The weekly readership of The Monitor runs between 20,000 and 25,000. A notice of the survey was published in Spanish in El Periodico, a Spanish language newspaper, on June 28, 2017. Its readership is 55,778 and is published each Wednesday. A secondary notice was published on July 3, 2017, in The Monitor. The advertisement indicated the Community Survey was set to expire on July 14, 2017. However, due to requested interest and time permitting, the survey remained available through July 31, 2017.

Televised Media began with an interview of delegates from the McAllen Housing Authority and the County of Hidalgo–Urban County Program. The story which ran in Mid-November 2016, served as an introduction to the AFH process and the first collaboration effort between the nineteen (19) entitlement communities and Housing Authorities. This story ran on KGBT, local news channel 4, as well appeared on-line. KRGV, local news channel 5, ran a story which assisted in the outreach of the community survey. Staff from the City of Edinburg was interviewed regarding the importance of the information which was gathered, its applicability to future funding and discriminatory practices. The on-line story included a link to the County's website where the community survey could be undertaken. KRGV also broadcast in Spanish Assisted Programming (SAP) for limited English proficient viewers; both broadcasts are further available with Closed Captioning.

In addition, a notice of survey availability was provided through additional media outlets such as the County, Cities and Housing Authorities web pages and social media accounts. Notices were also posted at city halls, precinct offices, public libraries and numerous Hidalgo County collaboration participant offices. The regional participants further encouraged participation in the survey by distributing flyers to public housing authority and Housing Choice Voucher (HCV) (Section 8) residents, announcing the survey at the Resident Advisory Board meetings and utilized the Family Self-Sufficiency staff to further encourage and provide assistance to PHA and HCV residents in completing the on-line survey.

Moreover, a state-wide housing advocacy group known as the Texas Low Income Housing Information Service assisted in collecting Community Survey responses from residents in several colonias and areas with no Wi-Fi or internet access. Additionally, local non-profit agencies including Affordable Homes of South Texas, Inc. (AHSTI) and Proyecto Azteca, two of the largest in volume providers of affordable housing for moderate and low-income individuals in Hidalgo County, advertised the Community Survey and made the link available on their respective web pages. These entities highly encouraged individuals to complete the survey by allowing the use of their

computers and assigning staff to assist the respondents when necessary. These actions served to assist in promoting the survey, particularly for low-income residents as well as those individuals least likely to have access to home computers and internet services. These respondents are highly likely to be Limited English Proficiency (LEP).

Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs) are located along the boundaries of Hidalgo County. Because outreach included County-wide efforts, it can be presumed that information and the community survey was equally available to residents of these areas. As noted within this section, in order to engage outlying areas of Hidalgo County, in-person community meetings were held on the eastern, western, and southernmost areas of the County. The final meeting was held in the northernmost area of the County for which a significant population exists.

Social media served as another means to encourage participation from all age groups and income levels. Communities and public housing authorities posted on FaceBook and Twitter accounts primarily.

Our strategy also included engaging approximately 300 community partners and stakeholders that provide services for Hidalgo County residents. This portion of our outreach efforts entailed the creation of Stakeholder Surveys that would serve to encapsulate disparities and challenges identified by each agency. The process for gathering this information began with contacting Stakeholders by phone and/or email and explaining the AFFH and partnership objectives. Each Stakeholder was then provided with a survey, tailored to the specific service provided by that agency, along with a request to provide their feedback and return the responses.

While the community survey was still available for completion, twelve (12) in-person meetings were hosted including four (4) Community meetings, seven (7) Stakeholder meetings, and a State/Federal Officials meeting. The advertisements for the Community and Stakeholder meetings were published in The Monitor on July 5, 2017, in English and Spanish. The advertisements for both meetings were also published in El Periodico, on July 5, 2017. Similar to the announcement of the community survey, social media and notices were posted at city halls, precinct offices, public libraries as well as numerous Hidalgo County collaboration participant offices in an effort to encourage attendance at these meetings. Lastly, many Public Housing Authorities provided flyers, posted notices, or mailed information regarding the community meetings.

The Community Meetings were held strategically at four (4) different locations throughout the County, in an attempt to reach as many residents as possible. The Community Meetings were held as follows:

DATE	TIME	LOCATION
Wednesday July 12, 2017	9:30 a.m. – 11:30 a.m.	Mercedes Housing Authority 400 South Ohio Ave. Mercedes, Texas 78570
Wednesday July 12, 2017	2:00 p.m. – 4:00 p.m.	Edcouch Housing Authority 209 West Pacific Edcouch, TX 78538
Thursday July 13, 2017	9:30 a.m. – 11:30 a.m.	La Joya Housing Authority 945 South Leo Ave. La Joya, TX 78560
Thursday July 13, 2017	2:00 p.m. – 4:00 p.m.	City of Hidalgo City Hall Board Chambers 704 East Ramon Ayala Dr. Hidalgo TX 78557

At these Community Meetings, the following was discussed (in English and Spanish):

- Identifying all collaborative partner organizations (informed attendees of the nineteen (19) collaborating partners)
- Link Community Survey (provided website link to the Community Survey)
- Survey end date (provided the end date to the Community Survey)
- Local Data (provided information which included where local data could be obtained during the draft availability)
- PowerPoint Link (provided presentation on the introduction to the AFFH)
- HUD Resources (informed attendees of the AFFH rule and resources)

The Stakeholder Meetings were held strategically at five (5) different locations throughout the County, in an attempt to reach as many stakeholders as possible. The Stakeholder Meetings were scheduled by topics as follows:

TOPIC	DATE	TIME	LOCATION
Poverty	July 14, 2017	9:00 a.m. – 12:00 p.m.	Housing Authority of the Hidalgo County 1102 Lilia Dr. Weslaco, TX 78599
Housing	July 20, 2017	9:30 a.m. – 11:30 p.m.	McAllen Housing Authority Family Dev. Center 2501 Maple Ave. McAllen, TX 78501

Disability and Access	July 20, 2017	1:30 p.m. – 3:30 p.m.	McAllen Housing Authority Family Dev. Center 2501 Maple Ave. McAllen, TX 78501
Public Housing	July 24, 2017	12:00 p.m. – 2:00 p.m.	Pharr Housing Authority Administration Office 104 W. Polk Ave. Pharr TX 78577
Education	July 25, 2017	9:30 a.m. – 11:30 a.m.	Edinburg Housing Authority 910 S. Sugar Rd. Edinburg TX 78539
Employment Transportation Environmental	July 25, 2017	1:00 p.m. – 4:00 p.m.	City of Mission's Social Event & Support Center 115 S. Mayberry Mission, TX 78572

Similar to the Community Meetings, the notice of Stakeholder Meetings was published in The Monitor and El Periodico on July 5, 2017. Outreach efforts also included social media, flyers, postings, and electronic and regular mail correspondence. No requests for translation or accessibility services were received in advance of any of the meetings.

A meeting was held to inform State and Federal Officials of the preparation and collaboration efforts of this assessment. Collaborative participants presented the HUD's AFFH PowerPoint presentation, enumerated the entities comprising the collaborative partners, provided a brief description of the programs overseen by the entitlement communities and Public Housing Authorities as well as requested support in disseminating information as it relates to the AFH. Representatives from these Elected Officials' offices were interested in the development of the document as well as in the use of HUD funding in the region. They expressed an interest in assisting the collaborative partners' efforts to reach under-represented populations as well as the community at large.

The following is a summary of the nearly 600 community surveys received:

- 100% of Zip Codes in Hidalgo County were represented.
- 80% of respondents were located within City limits.
- 87% of respondents selected White as their Race.
- 91% of respondents selected Hispanic or Latino as their Ethnicity.
- 16% of respondents indicated a primary language other than English.
- 13% of households indicated a disabled person lived within the household.
- 70% of respondents were families with children.
- 70% of households earn \$50,000 or less.
- 19% of respondents were households occupied by an elderly person.

- 56% of respondents were homeowners.
- 70% of respondents were Female.

2. Provide a list of organizations consulted during the community participation process.

The complete list of organizations consulted during the community participation process is attached in the appendices. This chart summarizes by topic the number of persons/organizations contacted:

TOPIC	QUANTITY
Poverty	30
Housing	21
Disability and Access	19
Public Housing	113
Education	57
Employment	15
Transportation	9
Environmentally Healthy Neighborhood Opportunities	35

3. How successful were the efforts at eliciting meaningful community participation? If there was low participation, provide the reasons.

Although participation may be considered low, traditional and alternative means of outreach were employed in an effort to engage broadened citizen participation. Nonetheless, citizen input was received online or in-person from households with different income brackets, LEP persons, households with special needs, the elderly, families with children, and racial and ethnic characteristics reflective of the population. As previously noted, limited interest in governmental affairs is the area's norm and can account for the low participation.

4. Summarize all comments obtained in the community participation process. Include a summary of any comments or views not accepted and the reasons why.

Due to the varied responses obtained via the community survey, the summary of results is included in the appendices. However, the summary of comments for in-person meetings are listed below.

A summary of the comments received at the Community Meetings is as follows:

DATE	TIME	LOCATION	COMMENTS
Wednesday July 12, 2017	9:30 a.m. – 11:30 a.m.	Mercedes Housing Authority 400 South Ohio Ave.	No comments received

Mercedes, Texas 78570			
Wednesday July 12, 2017	2:00 p.m. – 4:00 p.m.	Edcouch Housing Authority 209 West Pacific Edcouch, TX 78538	Consideration of housing services for all household types
Thursday July 13, 2017	9:30 a.m. – 11:30 a.m.	La Joya Housing Authority 945 South Leo Ave. La Joya, TX 78560	Consideration for services directed towards victims of domestic violence
Thursday July 13, 2017	2:00 p.m. – 4:00 p.m.	City of Hidalgo City Hall Board Chambers 704 East Ramon Ayala Dr. Hidalgo TX 78557	No comments received

A summary of the comments received at the Stakeholder Meetings is as follows:

TOPIC	DATE	TIME	LOCATION	COMMENTS
Poverty	July 14, 2017	9:00 a.m. – 12:00 p.m.	Housing Authority of the Hidalgo County 1102 Lilia Dr. Weslaco, TX 78599	Interest in homeownership opportunities and support for home buyers assistance
Housing	July 20, 2017	9:30 a.m. – 11:30 p.m.	McAllen Housing Authority Family Dev. Center 2501 Maple Ave. McAllen, TX 78501	Request for status of AFH draft, information regarding outreach and release date
Disability and Access	July 20, 2017	1:30 p.m. – 3:30 p.m.	McAllen Housing Authority Family Dev. Center 2501 Maple Ave. McAllen, TX 78501	*Interest in providing appropriate housing for all persons; support the efforts undertaken related to the plan; request for status of AFH draft
Public Housing	July 24, 2017	12:00 p.m. – 2:00 p.m.	Pharr Housing Authority Administration Office 104 W. Polk Ave. Pharr TX 78577	Supportive comment related to the AFH process
Education	July 25, 2017	9:30 a.m. – 11:30 a.m.	Edinburg Housing Authority 910 S. Sugar Rd.	Need for increase of technology availability and

			Edinburg TX 78539	transportation services
Employment	July 25,	1:00 p.m. –	City of Mission’s Social Event & Support Center 115 S. Mayberry Mission, TX 78572	Need for increase in employment opportunities, increase in transportation routes and availability, focus on environmental issues , social issues, and issues facing development of housing, and need for additional resources for underserved areas
Transportation	2017	4:00 p.m		
Environmental				

*Commentator was unable to attend housing meeting; views accepted.

It should be noted that collaborative partners may not have the ability to undertake all actions requested during the solicitation of comments due to limited funding; nonetheless, all comments and views were accepted during the process.

IV. Assessment of Past Goals, Actions and Strategies

1. Indicate what fair housing goals were selected by program participant(s) in recent Analyses of Impediments, Assessments of Fair Housing, or other relevant planning documents:

a. Discuss what progress has been made toward their achievement;

The Rio Grande Valley Entitlement Communities (RGVEC) Analysis of Impediments (AI) was composed in 2005 by ICF Consulting, Inc. as part of the Region's Consolidated Plan and Strategy for 2005-2009. Annual updates may have been made to this document to account for changes in available resources, fluctuations in income and the need for eligible projects. While the document did not detail specific goals to be accomplished during any fiscal year, the development of Consolidated Annual Performance and Evaluation Reports (CAPERs) served to inform the public of the accomplishments of each grantee.

Actions identified in the AI that may impede access to affordable housing are listed as:

1. Standard building restrictions
2. Regulatory environment concerns
3. Additional building codes
4. Fees (Development, Subdividing and/or Park)

Jurisdictions do not consider these fees or building codes/restrictions to be excessive barriers to fair and affordable housing but are used to ensure the construction of decent and safe housing for its residents.

In addition, a review of the 2013 TDHCA's Analysis of Impediments (AI) noted common impediments and barriers by geographic prevalence. According to the State's AI, the following impediments may occur in Hidalgo County:

- NIMBYism
- Exclusionary Zoning Policies
- Poor Housing
- Lack of Fair Housing Information
- Lending Disparities
- Mobility/Housing Choice Barriers
- Lack of Fair Housing Knowledge
- Lack of Accessible Housing
- Segregated Housing Conditions

Nonetheless, progress to address the issues identified in the RGVEC's analysis of impediment include:

- Assistance provided to homebuyers and renters
- Rehabilitation services particularly for very low income and elderly households
- Improvements to infrastructure
- Provision of social services to assist in assuaging the needs of low and moderately income persons

These actions serve to mitigate some of the barriers noted by the State. Funding for these types of activities is the basis for all five (5) entitlement communities' use of HUD Formula Grant funds. As such, the accomplishments of each grantee continue to support forward progress and encourage fair housing choice for all.

b. Discuss how you have been successful in achieving past goals, and/or how you have fallen short of achieving those goals (including potentially harmful unintended consequences); and

Due to a lack of quantifiable goals, an assessment of whether past goals fell short or were met cannot be ascertained.

c. Discuss any additional policies, actions, or steps that you could take to achieve past goals, or mitigate the problems you have experienced.

Policies which impede the process in achieving goals tend to be regulatory in nature and are implemented because of the funding sources utilized. Program participants have limited control over these policies. Further, dwindling resources negatively affect the ability to implement programs. As such, program benefits have lessened over the last few years. Until funding is fully restored, not all actions can be undertaken to increase or maintain housing and support services.

d. Discuss how the experience of program participant(s) with past goals has influenced the selection of current goals.

The concerns identified in the last Analysis of Impediments remain priorities for entitlement communities. Over the past decade, Hidalgo County has twice been declared a Federal Disaster Area due to hurricane landfall and strong rainfall/weather events. Compounding the amount of precipitation is the fact that the area is near sea-level. As such, drainage and the alleviation of flooding is a high priority in order to address housing to be constructed as well as to assist in areas where residential development currently exist. Actions such as these help assure the location, type and accessibility of units is made available and that it remains safe for residents.

In an effort to be more far reaching, the goals in this AFH were expounded to specifically consider characteristics and demographics of Hidalgo County, highlight jurisdictional variations as well as incorporate actions undertaken by public housing authorities.

V. Fair Housing Analysis

A. Demographic Summary

1. Describe demographic patterns in the jurisdiction and region, and describe trends over time (since 1990).

The following HUD table shows demographic changes since 1990 with each decennial update through 2010:

Table 2 - Demographic Trends

(McAllen-Edinburg-Mission, TX) Region						
	1990 Trend		2000 Trend		2010 Trend	
Race/Ethnicity	#	%	#	%	#	%
White, Non-Hispanic	54,201	14.13%	59,391	10.43%	60,553	7.82%
Black, Non-Hispanic	471	0.12%	2,052	0.36%	2,777	0.36%
Hispanic	326,912	85.22%	503,066	88.34%	702,206	90.63%
Asian or Pacific Islander, Non-Hispanic	806	0.21%	3,469	0.61%	7,171	0.93%
Native American, Non-Hispanic	178	0.05%	692	0.12%	524	0.07%
National Origin						
Foreign-born	94,715	24.69%	168,217	29.54%	231,815	29.92%
LEP						
Limited English Proficiency	151,056	39.38%	196,819	34.56%	230,396	29.74%
Sex						
Male	185,042	48.25%	275,713	48.42%	376,944	48.65%
Female	198,503	51.75%	293,750	51.58%	397,825	51.35%
Age						
Under 18	140,528	36.64%	205,848	36.15%	268,484	34.65%
18-64	204,823	53.40%	307,802	54.05%	434,037	56.02%
65+	38,194	9.96%	55,813	9.80%	72,248	9.33%
Family Type						
Families with children	52,436	59.17%	51,688	58.17%	100,613	56.00%

Data Source: Decennial Census; ACS

Analysis:

Race/Ethnicity: White Non-Hispanic population grew 12% in a 20-year period from 1990 to 2010 but Hispanics' population grew at a 115% increase resulting in a larger overall representation in the Region which reflects approximately 90.63% of the area.

National Origin: Foreign-born has increased at a 145% growth of population in a 20-year period from 1990 to 2010; however, as an overall regional representation, this population has increased only 5%.

LEP: Limited-English Proficiency has increased at a 53% growth of population in a 20-year period from 1990 to 2010; however, as an overall regional representation, this population has decreased by 10%.

Family Type: Families with children has increased at a 92% growth of population in a 20-year period from 1990 to 2010; however, as an overall regional representation, this population has had no significant increase or decrease.

2. Describe the location of homeowners and renters in the jurisdiction and region, and describe trends over time.

Census Bureau Data (American Fact Finder) was used in the analysis of this section. American Fact Finder tables allow archives since 2010. In an effort to provide a description of trends over time, 2010 and 2015 tables were utilized. Further, while the information presented extrapolates data for the cities of Edinburg, McAllen, Mission, and Pharr, the reader is cautioned that the Hidalgo County data is inclusive of these four (4) entitlement communities.

			Metropolitan Statistical Area (MSA)								
2010		Hidalgo County		Edinburg		McAllen		Mission		Pharr	
		#	%	#	%	#	%	#	%	#	%
HOUSING TENURE											
Occupied Housing Units		205,971		21,653		40,104		21,384		18,452	
Owner-Occupied		145,896 71%		12,715 59%		25,489 64%		15,748 74%		11,878 64%	
Renter-Occupied		60,075 29%		8,938 41%		14,615 36%		5,636 26%		6,574 36%	
2015		Hidalgo County		Edinburg		McAllen		Mission		Pharr	
		#	%	#	%	#	%	#	%	#	%
HOUSING TENURE											
Occupied Housing Units		224,021		23,953		42,225		24,070		20,402	
Owner-		68%		13,113 55%		25,674 61%		16,761 70%		61%	

Occupied Renter- Occupied	152,552							12,474	
	71,469	32%	10,840	45%	16,551	39%	7,309	30%	7,928 39%
DIFFERENCE	Hidalgo County		Edinburg		McAllen		Mission		Pharr
	# %		# %	# %	# %		# %	# %	
HOUSING TENURE									
Occupied Housing Units	18,050		2,300		2,121		2,686		1,950
Owner- Occupied	6,656	5%	398	3%	185	1%	1,013	6%	596 5%
Renter- Occupied	11,394	19%	1,902	21%	1,936	13%	1,673	30%	1,354 21%

B. General Issues

i. Segregation/Integration

1. Analysis

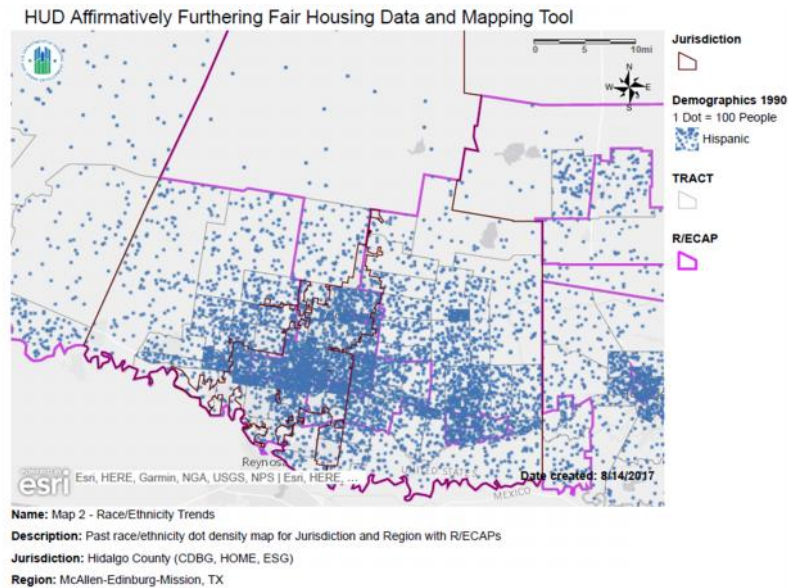
- a. **Describe and compare segregation levels in the jurisdiction and region. Identify the racial/ethnic groups that experience the highest levels of segregation.**

In order to discuss segregation levels, it is important that the reader review historic data to understand patterns of growth within Hidalgo County. Patterns of growth are easily seen by comparing maps 1 and 2. For the purpose of increased clarity, the maps are separated by Hispanic vs. non-Hispanic and Mexico as a Country of Origin vs. all others. In summary, no racial or ethnic groups experienced high levels of segregation in that clusters of non-Hispanic or Countries of Origin, excluding Mexico, have limited population in the area. In contrast, Hispanic and persons whose Country of Origin is Mexico predominantly reside within Hidalgo County.

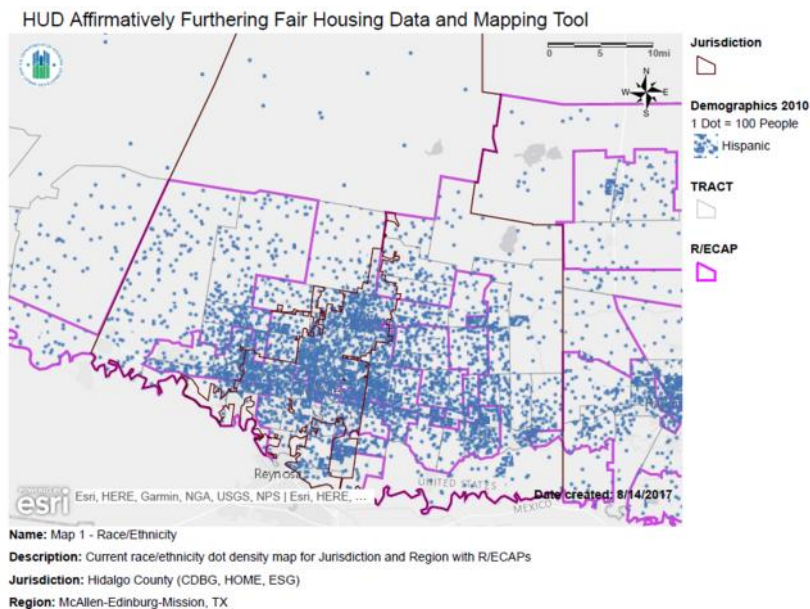
In order to assist the reader in viewing the data, several maps and a table, generated by HUD resources are provided. They include:

- Map 2 – Race and Ethnicity Trends: Hispanic only (1990 data)
- Map 1 – Race and Ethnicity: Hispanic only (2010 data)
- Map 2 – Race and Ethnicity Trends: Non-Hispanic population (1990 data)
- Map 1 – Race and Ethnicity: Non-Hispanic population (2010 data)
- Map 3 – National Origin – Country of Origin – Mexico
- Map 3 – National Origin – Country of Origin – Others
- Map 4 – LEP with RECAPs – Spanish
- Map 4 – LEP with RECAPs – Other
- Table 3 – Racial/Ethnic Dissimilarity Trends

Map 2 – Race and Ethnicity Trends: Hispanic only (1990 data)



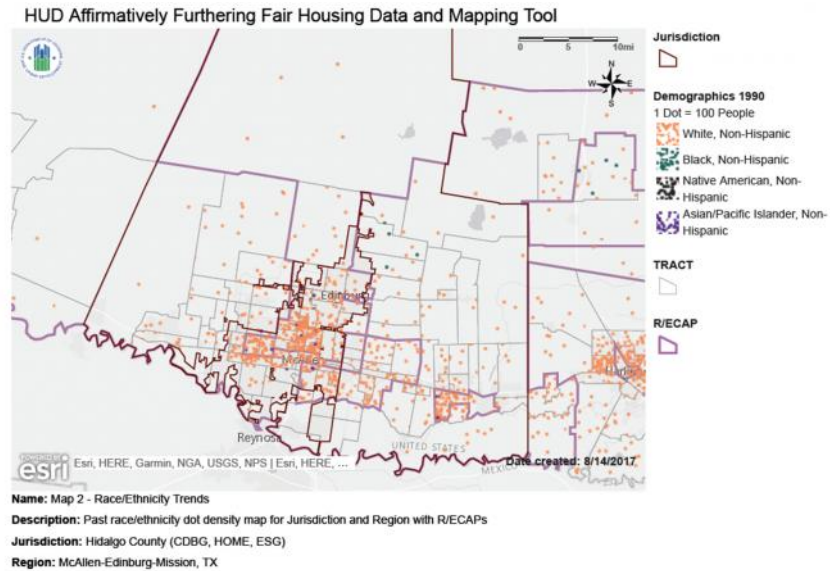
Map 1 – Race and Ethnicity: Hispanic only (2010 data)



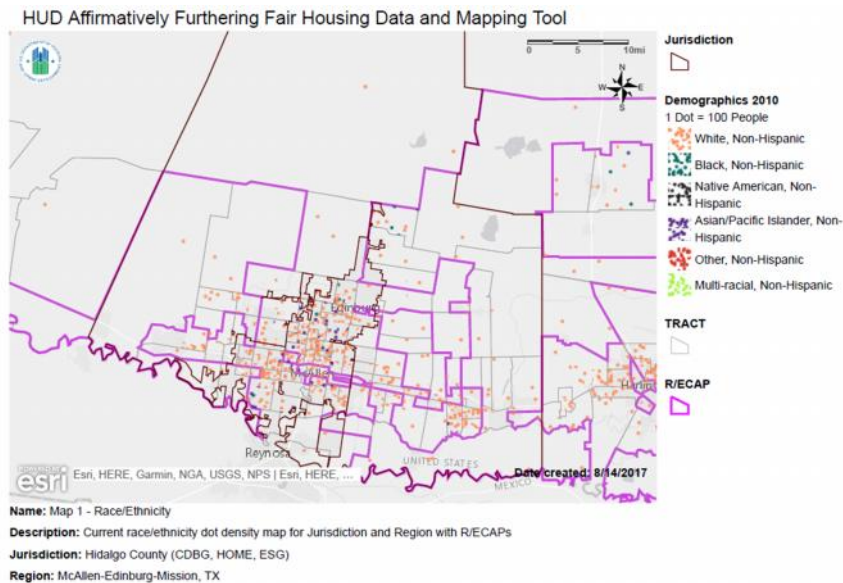
Analysis

The 1990 map indicates less areas identified under the RECAP criteria. RECAPs decreased through the 2010. The 1990 map shows RECAP areas for the County exclude McAllen, Mission, Edinburg, and parts of Pharr, as well as, south of Business 83 in Weslaco and Mercedes. RECAP areas include areas north and west of Mission, south to the Border, east of 281 from Faysville to Monte Cristo along Alamo Road to Business 83, northeast Donna to the County line except to Weslaco and Mercedes. The increase in population between 1990 and 2010 occurred in all areas of the community regardless of RECAP for Hispanics.

Map 2 – Race and Ethnicity Trends: Non-Hispanic population (1990 data)



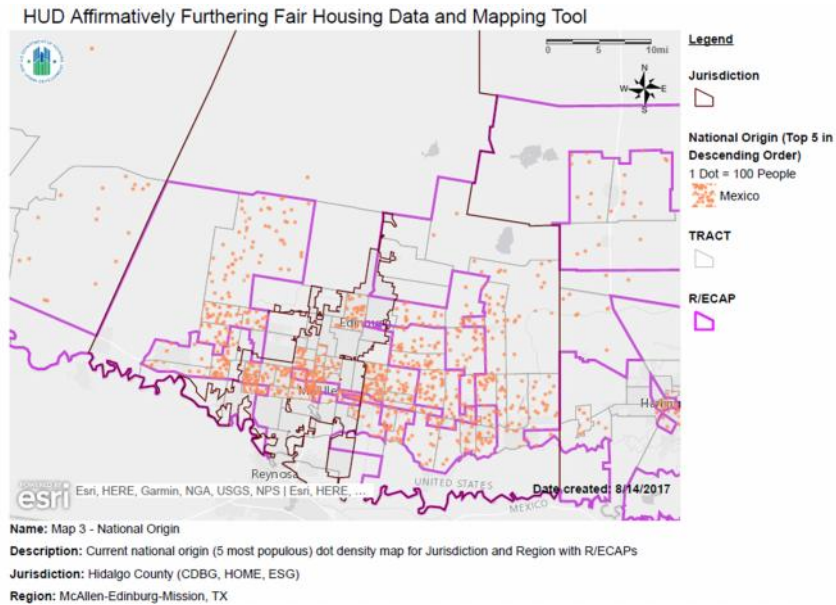
Map 1 – Race and Ethnicity: Non-Hispanic population (2010 data)



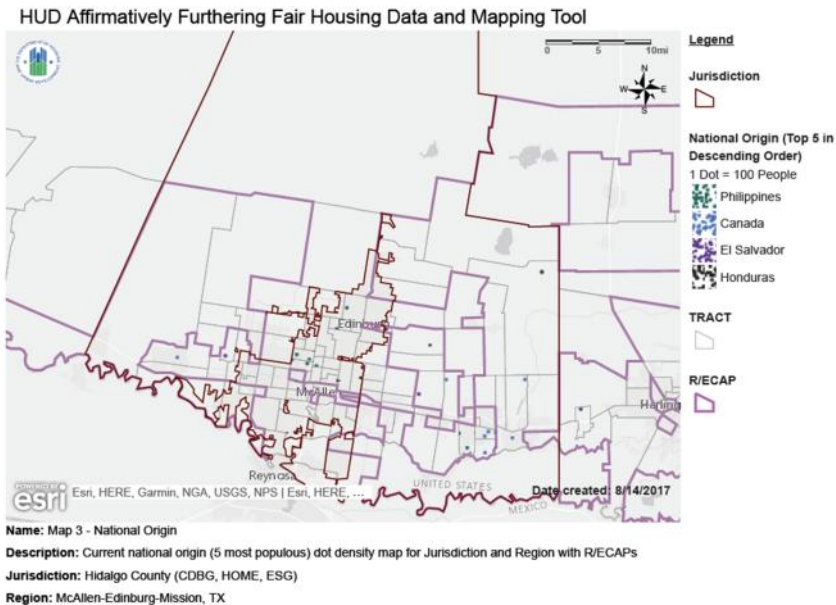
Analysis

Both the 1990 and 2010 maps indicate the preponderance of population in non-RECAP areas. 1990 data shows limited number of Asian/Pacific Islanders; while the 2010 shows a significant increase particularly in the McAllen-Edinburg area. The 2010 population for Whites increased in mostly non-RECAP areas. The 1990 map does not show any population of Black, Non-Hispanic persons; two clusters appear in 2010. Native-Americans, Non-Hispanics do not appear on either map. The categories of Other and Multi-racial only appear in 2010; however population reflective of these categories does not appear.

Map 3 – National Origin – Country of Origin – Mexico



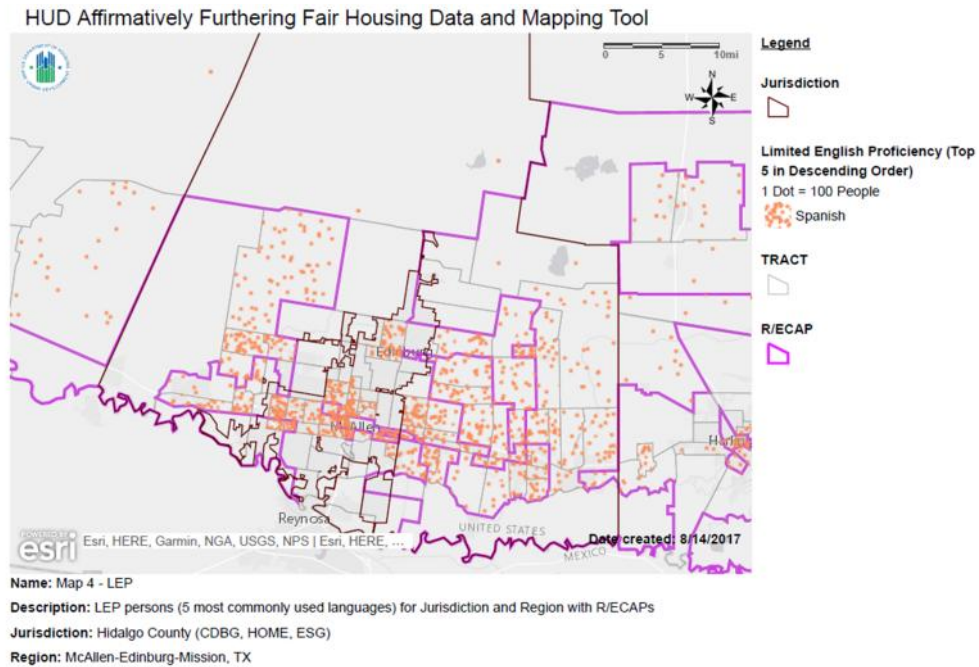
Map 3 – National Origin – Country of Origin – Others



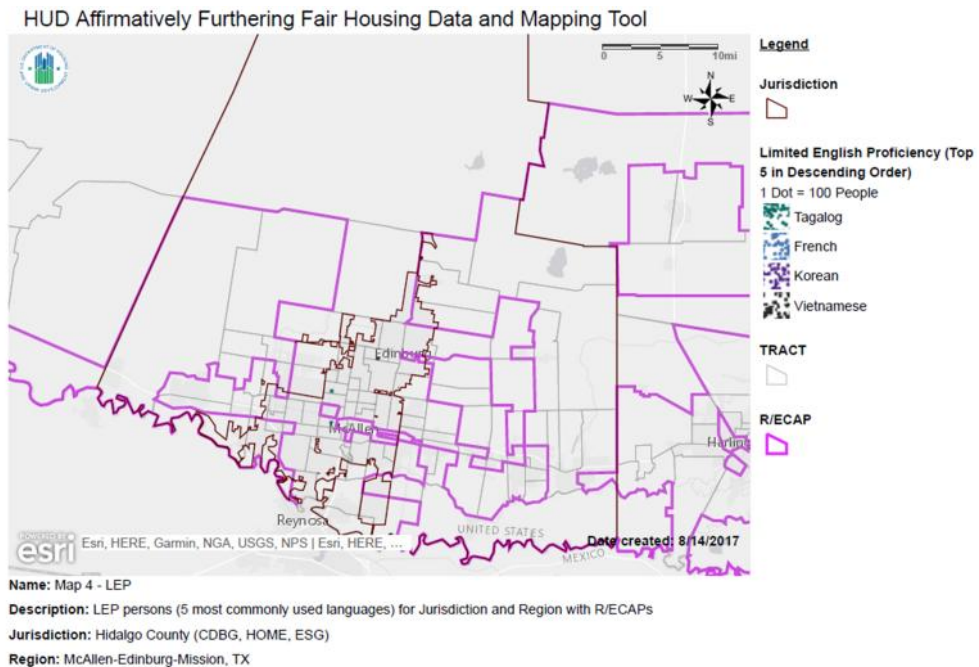
Analysis

Persons of Mexican national origin appear throughout the map, in both RECAP and non-RECAP areas. Persons of Canadian national origin most frequently appear in the McAllen-Metro area which is not in a RECAP area. Persons of El Salvadorian origin appear in the La Joya and Weslaco/Mercedes area most of whom are outside of a RECAP area. Persons of Honduran origin appear in the north Donna area. A small population of Philippine origin persons are located in RECAP areas.

Map 4 – LEP with RECAPs – Spanish



Map 4 – LEP with RECAPs – Other



Analysis

Persons of Spanish speaking appear throughout the map in both and in RECAP areas. Individuals with LEP, who speak the language other than Spanish, are in a non-RECAP area.

Table 3 – Racial/Ethnic Dissimilarity Trends

	(Hidalgo County, TX CDBG, HOME, ESG) Jurisdiction				(McAllen-Edinburg-Mission, TX) Region			
Racial/Ethnic Dissimilarity Index	1990 Trend	2000 Trend	2010 Trend	Current	1990 Trend	2000 Trend	2010 Trend	Current
Non-White/White	34.85	37.77	47.83	N/a	37.62	39.15	45.91	N/a
Black/White	43.00	62.80	66.18	N/a	37.07	47.75	50.80	N/a
Hispanic/White	34.92	37.91	48.12	N/a	37.81	39.55	46.58	N/a
Asian or Pacific Islander/White	51.76	49.59	60.92	N/a	43.06	41.15	53.82	N/a
Note 1: Data Sources: Decennial Census								
Note 2: Refer to the Data Documentation for details (www.hudexchange.info).								

Analysis

In order to determine levels of segregation or integration, HUD provided a dissimilarity index value. 0-39 equates to low segregation, 40-54 equates to moderate segregation, and 55-100 shows as high segregation. Hidalgo County trends appear between moderate and high segregation while the MSA remains in moderate segregation.

From these values, for Hidalgo County, Non-White/White and Hispanic/White reside in a moderate level of segregation. Black/White and Asian or Pacific Islanders/White reside in a highly segregated area. However, it should be noted that the information for Black/White and Asian or Pacific Islander/White which shows high levels of segregation may be due to a limited population rather than traditional causes of segregation. According to the AFFH guidebook, “....for populations that are small in absolute number, the dissimilarity index may be high even if the group’s members are evenly distributed through the area”.

b. Explain how these segregation levels have changed over time (since 1990).

For non-Whites/Whites, segregation grew from the low end in 1990 to moderate in 2010 for the Hidalgo County and the MSA jurisdiction. Black/White grew from moderate segregation in 1990 to high segregation in 2010 for Hidalgo County; it grew from low to moderate segregation in the MSA. Hispanic/White moved from low segregation in 1990 to moderate in 2010 in both Hidalgo County and the MSA. Lastly, Asian or Pacific Islander/White moved from moderate to high segregation in Hidalgo County but remained in moderate segregation for the MSA. Once again, for low population, such as Black/Whites and Asian or Pacific Islander/Whites, the dissimilarity index may be higher even when the group’s members are evenly distributed through the area.

c. Identify areas with relatively high segregation and integration by race/ethnicity, national origin, or LEP group, and indicate the predominant groups living in each area.

In review of HUD data, it was noted that Black/Whites and Asian or Pacific Islander/Whites have the highest levels of the dissimilarity index which correlates to high levels of segregation. Other races/ethnicities likely to reside within the area

include Hispanics, persons with Mexico as a Country of Origin, and Spanish-speaking individuals.

- d. **Consider and describe the location of owner and renter occupied housing in determining whether such housing is located in segregated or integrated areas.**

No integrated areas exist in Hidalgo County, as defined by HUD's dissimilarity index value. Conversely, segregated areas exist outside of the MSA, for Black/White and Asian or Pacific Islander/White persons. Based on the Map 1 – Race/Ethnicity – (Non-Hispanic), residential patterns for persons with high segregation values are located in non-MSA areas and near Faysville and in the city of Weslaco. Hidalgo County homeownership rates are more than double the number of renter occupied units.

- e. **Discuss how patterns of segregation have changed over time (since 1990).**

Based on the data between 1990 and 2010, for populations located in the MSA, segregation patterns increased from low to moderate for all classes, except Asian or Pacific Islander/White, which remained as moderate. Using 2015 data extrapolation, the households are twice as likely to be homeowners versus renters in the MSA.

Based on the data between 1990 and 2010, for populations located in Hidalgo County, segregation patterns increased from low to moderate for Non-White/White and Hispanic/White. The dissimilarity index value which moved from moderate to high included Black/White and Asian or Pacific Islander/White. Using 2015 data extrapolation, the households are twice as likely to be homeowners versus renters in Hidalgo County.

- f. **Discuss whether there are any demographic trends, policies, or practices that could lead to higher segregation in the jurisdiction in the future.**

While no increase in higher segregation is expected to occur, location of housing and quality amenities may be the predictor in determining where growth patterns develop. This may be especially true for persons who settle in the area who were not previously a large enumeration.

2. Additional Information

- a. **Beyond the HUD-provided data, provide additional relevant information, if any, about segregation in the jurisdiction and region affecting groups with other protected characteristics.**

N/A

b. The program participant may also describe other information relevant to its assessment of segregation, including activities such as place-based investments and mobility options for protected class groups.

Due to the moderate/high levels of segregation of the non-Hispanic population, activities such as place-based investments and mobility options do not thoroughly de-concentrate or further concentrate housing of protected classes within any one particular area within the county.

3. Contributing Factors of Segregation –

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of segregation.

- **Community Opposition**
- **Displacement of residents due to economic pressures**
- **Lack of community revitalization strategies**
- **Lack of private investments in specific neighborhoods**
- **Lack of public investments in specific neighborhoods, including services or amenities**
- **Lack of regional cooperation**
- **Land use and zoning laws**
- **Lending Discrimination**
- **Location and type of affordable housing**
- **Occupancy codes and restrictions**
- **Private discrimination**
- **Other**

Factor	Impact to Segregation of Protected Classes
Community Opposition	Moderate impact to severity of segregation; increased impact to lower income housing of all classes
Displacement of residents due to economic pressures	No impact to segregation; recent past affected all types of households including protected classes
Lack of community revitalization strategies	Low impact to segregation of protected classes
Lack of public investments in specific neighborhoods, including services or amenities	Low impact to segregation of protected classes
Lack of regional cooperation	Not applicable; varied regional participation related to environmental concerns, traffic and influx of non-US persons
Land use and zoning laws	May perpetuate or increase impacts to segregation; impacts not limited to protected classes; varied by jurisdiction

Lending Discrimination	May perpetuate or increase impacts to segregation; impacts not limited to protected classes; varied by jurisdiction
Location and type of affordable housing	May create or increase impacts to segregation; segregation may occur from environmental concerns, jurisdictional issues, and cost of housing; higher impact for large families and persons with special needs and/or handicapped
Occupancy codes and restrictions	May perpetuate or increase impacts to segregation; impacts not limited to protected classes; varied by jurisdiction; higher impact for large families and persons with special needs and/or handicapped
Private discrimination	Can perpetuate or increase impacts to segregation particularly for rental households
Other	Income: High Impact of segregation for all classes including protected classes

ii. **R/ECAPs**

1. Analysis

a. Identify any R/ECAPs or groupings of R/ECAP tracts within the jurisdiction.

Hidalgo County appears to be equally divided between a R/ECAP and a NON-R/ECAP area. The R/ECAP area appears predominately in the eastern and western most boundaries of the county. Of note, these areas are less populated than the interior of the county.

b. Which protected classes disproportionately reside in R/ECAPs compared to the jurisdiction and region?

As expected, due to the area's high number of Hispanics and persons of Mexican origin, congregations of these individuals reside in the R/ECAPs. Only a few persons of other racial and ethnic makeup appear in the R/ECAPs.

- A fraction of the non-Hispanic White population reside in the R/ECAP area.
- Two-thirds of the Black non-Hispanic population resides in the R/ECAP area.
- Asian/Pacific Islander, Non-Hispanic do not reside in the R/ECAP area.
- (a) Native American, Non-Hispanic, (b) Other, Non-Hispanic, and (c) Multi-racial, Non-Hispanic do not appear on the map.

c. Describe how R/ECAPs have changed over time (since 1990).

R/ECAPs have decreased since 1990. Changes are most significantly seen along Business 83 from La Joya east to the city of Weslaco. In addition, the area east of Edinburg towards Elsa no longer qualifies as a R/ECAP.

2. Additional Information

- a. **Beyond the HUD-provided data, provide additional relevant information, if any, about R/ECAPs in the jurisdiction and region affecting groups with other protected characteristics.**

N/A

- b. **The program participant may also describe other information relevant to its assessment of R/ECAPs, including activities such as place-based investments and mobility options for protected class groups.**

The reduction in the R/ECAP areas are due to increased economic opportunities, removal of affordable housing barriers/increase in government assistance, and other revitalization efforts. Such actions positively affect households including those in protected classes.

3. Contributing Factors of R/ECAPs

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of R/ECAPs.

- **Community Opposition**
- **Deteriorated and abandoned properties**
- **Displacement of residents due to economic pressures**
- **Lack of community revitalization strategies**
- **Lack of private investments in specific neighborhoods**
- **Lack of public investments in specific neighborhoods, including services or amenities**
- **Lack of regional cooperation**
- **Land use and zoning laws**
- **Location and type of affordable housing**
- **Occupancy codes and restrictions**
- **Private discrimination**
- **Other**

Factor	Impact to the Severity of R/ECAPs
Community Opposition	No effect on the severity of R/ECAPs
Displacement of residents due to economic pressures	Potential increase to the severity of R/ECAP when factoring the cost of housing
Lack of community revitalization strategies	No effect on the severity of R/ECAPs
Lack of public investments in specific neighborhoods, including services or amenities	May contribute to or increase the severity of R/ECAP

Lack of regional cooperation	Decreasing effect on the severity of R/ECAPs due to increasing and perpetual regional cooperation
Land use and zoning laws	Potential increase to the severity of R/ECAP due to jurisdictional variations
Lending Discrimination	Potential increase to the severity of R/ECAP
Location and type of affordable housing	No effect on the severity of R/ECAPs
Occupancy codes and restrictions	Potential increase to the severity of R/ECAP when factoring the cost of housing
Private discrimination	No effect on the severity of R/ECAPs
Other	Income: high impact on the severity of R/ECAP

iii. **Disparities in Access to Opportunity**

1. Analysis

a. Educational Opportunities

i. Describe any disparities in access to proficient schools based on race/ethnicity, national origin, and family status.

The following is an analysis of HUD-provided data. School proficiency was established based on the performance of fourth grade elementary students on State exams. As has been shown previously, maps are separated by Hispanic vs. non-Hispanic and Mexico as a Country of Origin vs. all others. The final map in this section summarizes data for family status groups. In summary, no racial or ethnic groups experienced high levels of disparities and access to proficient schools; however, there are four locales where there is a congregation of lower performing schools.

HUD resources utilized for the analysis of this section include:

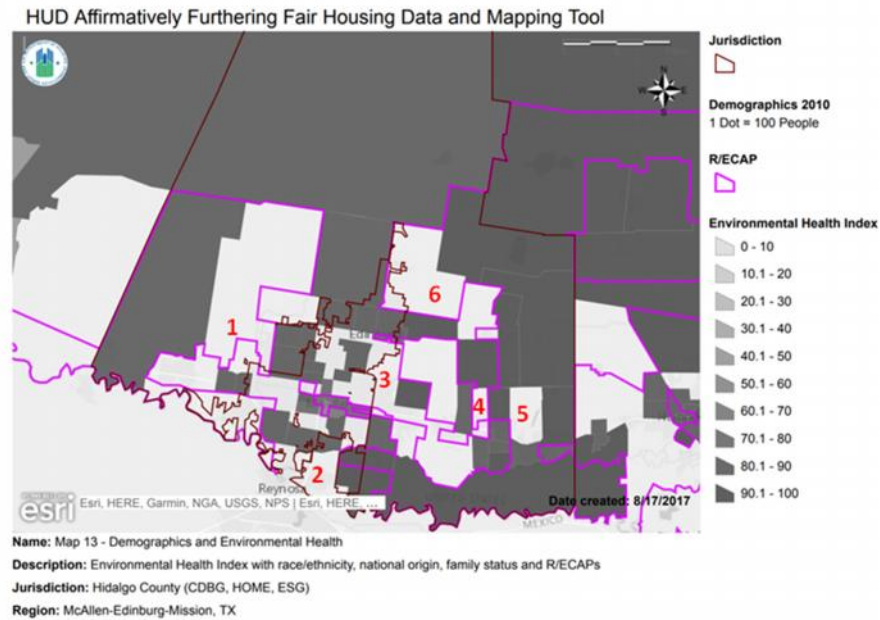
- Table 12 – Opportunity indicators, by Race and Ethnicity
- Map 7 – Demographics and School Proficiency – 0-20 School Proficiency Index
- Map 7 – Demographics and School Proficiency – Race/Ethnicity - Hispanic
- Map 7 – Demographics and School Proficiency – Race/Ethnicity – Non-Hispanic
- Map 7 – Demographics and School Proficiency – National Origin - Mexico
- Map 7 – Demographics and School Proficiency – National Origin - Others
- Map 7 – Demographics and School Proficiency - Percentage of Households that are Families with children

Table 12 – Opportunity indicators, by Race and Ethnicity (School Proficiency Index)

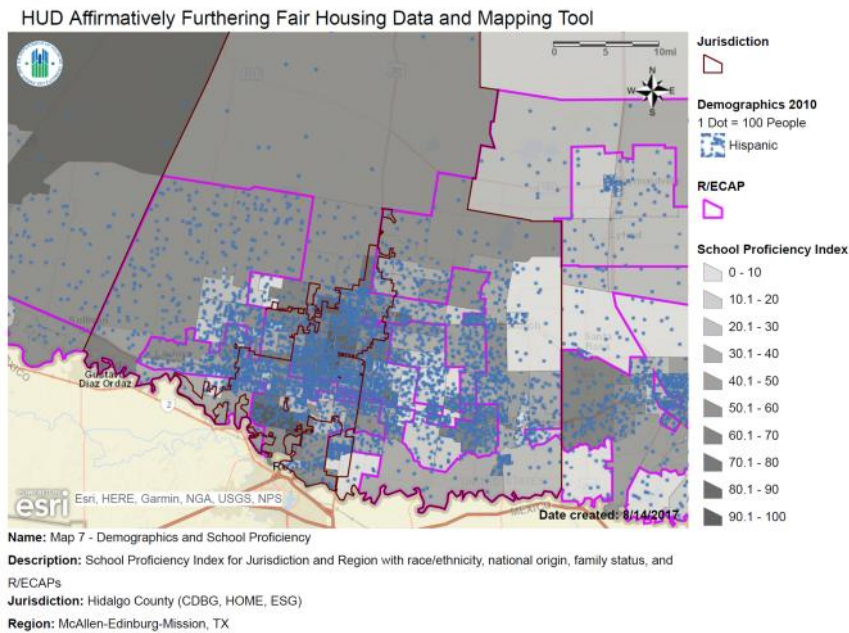
(Hidalgo County, TX CDBG, HOME, ESG) Jurisdiction	School Proficiency Index
Total Population	
White, Non-Hispanic	41.80
Black, Non-Hispanic	53.35
Hispanic	40.82
Asian or Pacific Islander, Non-Hispanic	57.90
Native American, Non-Hispanic	43.18
Population below federal poverty line	
White, Non-Hispanic	39.18
Black, Non-Hispanic	37.17
Hispanic	39.32
Asian or Pacific Islander, Non-Hispanic	32.28
Native American, Non-Hispanic	38.31
(McAllen-Edinburg-Mission, TX) Region	
Total Population	
White, Non-Hispanic	51.82
Black, Non-Hispanic	60.22
Hispanic	46.41
Asian or Pacific Islander, Non-Hispanic	67.67
Native American, Non-Hispanic	51.09
Population below federal poverty line	
White, Non-Hispanic	50.57
Black, Non-Hispanic	51.49
Hispanic	43.52
Asian or Pacific Islander, Non-Hispanic	52.29
Native American, Non-Hispanic	43.78
Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA	
Note 2: Refer to the Data Documentation for details (www.hudexchange.info).	

Children whose family income is below the federal poverty line and who reside outside of the MSA attend lower proficient schools; such is true for all racial and ethnic categories. However, within the MSA the risk of attendance of a lower proficient school lessens regardless of income. Specifically, the school proficiency index increases by an approximate factor of 10 for children who reside in the MSA.

Map 7 – Demographics and School Proficiency – 0-20 School Proficiency Index

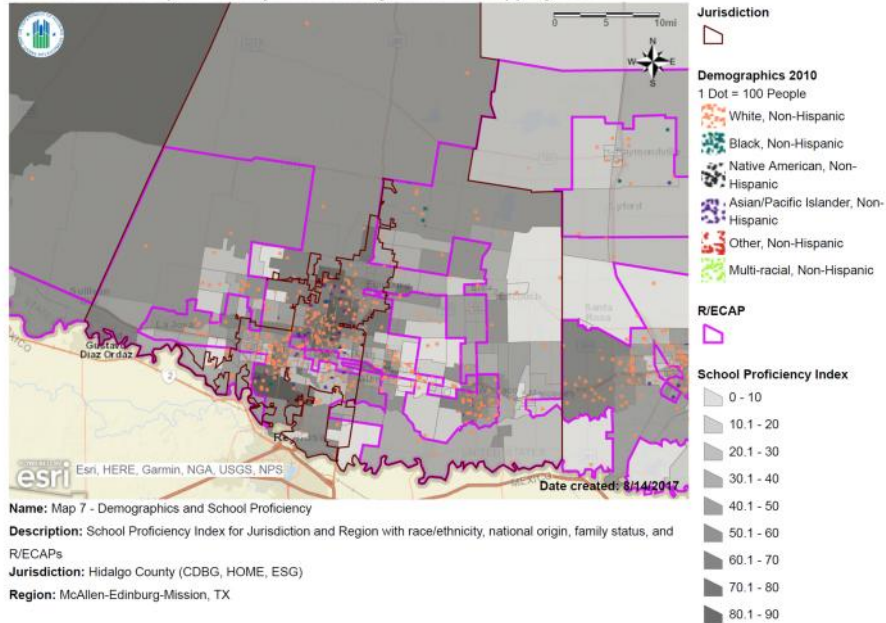


Map 7 – Demographics and School Proficiency – Race/Ethnicity - Hispanic



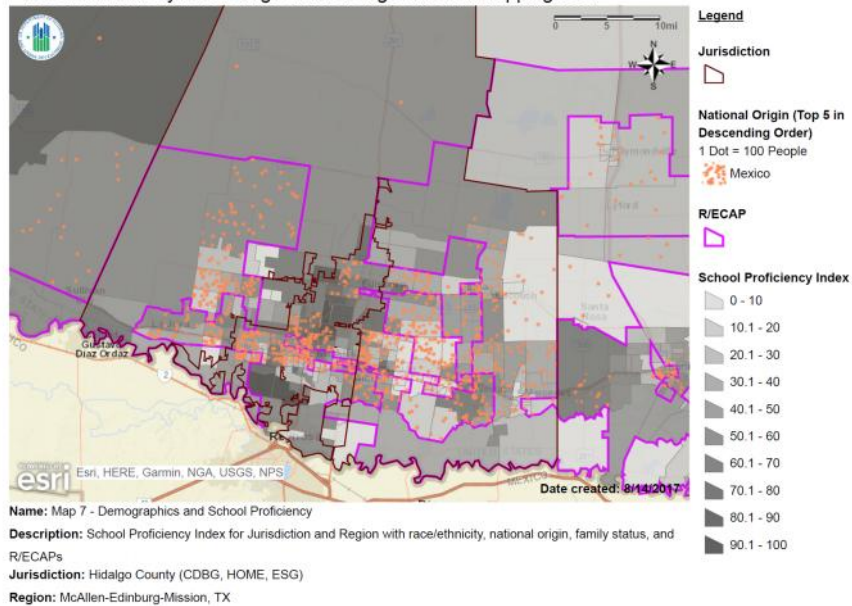
Map 7 – Demographics and School Proficiency – Race/Ethnicity – Non-Hispanic

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



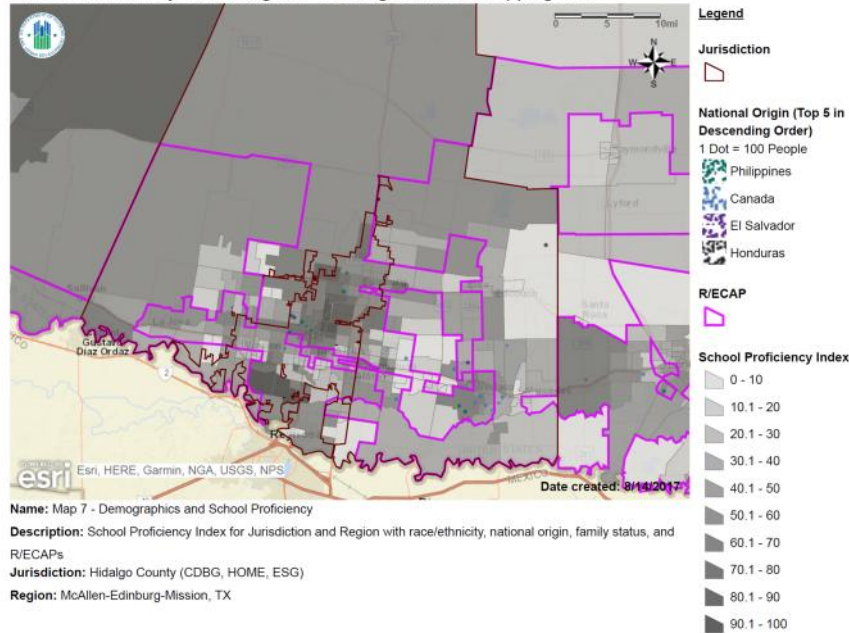
Map 7 – Demographics and School Proficiency – National Origin - Mexico

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



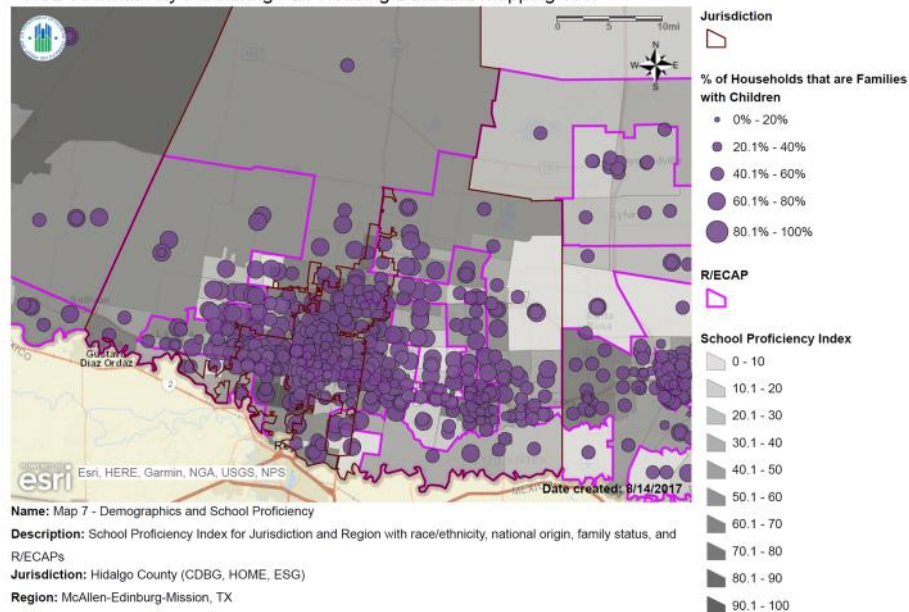
Map 7 – Demographics and School Proficiency – National Origin – Other

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



Map 7 – Demographics and School Proficiency – % of Households that are Families with Children

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



Eight areas were identified as showing a school proficiency index of 0-20. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children.

1. Location : North of Alton North – (Monte Cristo and Trosper/Los Ebanos, Mile 7 and Bryan/Conway)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 60.1% – 80%			

2. Location: Alton North – (East Mile 6, Conway, East Mile 5 and Glasscock)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Partial data/Frequent
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Concentrated	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% - 80%			

3. Location: Palmview South – (I2, Abram Road, Military Road, and Bentsen Drive)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Mostly out of R/ECAP			
% of Households that are families with children: 40.1% - 80%			

4. Location: Hidalgo (East Coma Avenue to U.S. Border, Bridge Street and South 15th)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% - 60%			

5. Location: South Pharr-San Juan-Alamo – (Dicker Road, Jackson Road, U.S. Border, South Alamo)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	No Indicators	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% - 80%			

6. Location: Alamo/Donna – (Roosevelt Road, Tower Road, Stiles/Moore Road, Mile 6-1/2 West)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	Frequent	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	Minimal
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	Minimal
Hispanic	Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: North section in R/ECAP; South section out of R/ECAP			
% of Households that are families with children: 0% - 80%			

7. Location: North Mercedes (Mile 8 North, Between Levee Road 2 and 3, I2 and Washington Ave.)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	No indicators	Mexico	Minimal
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators
Hispanic	Frequent	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% - 60%			

8. Location: La Villa (1422/Stockholm, 1015, Mile 12, County Line)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators
Hispanic	Frequent	Philippines	Minimal
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% to 80%			

Of the eight locations, Hispanics and persons of Mexican national origin are the only protected classes for which significant population may be found. However, Hispanics and persons of Mexican national origin are not concentrated solely within these lower performing schools. As such, no protected classes show any disparities in access to proficient schools. It is equally as likely that families with children show no disparities in access to proficient schools. Family status as a protected class is not a determinant in attendance of a proficient school.

Upon analysis of the high performing areas and TEA information, it appears that:

1. There are no racially and ethnic disparities such that these high performing area include a preponderance of individuals of Mexican origin;
2. 40-80% of household within these areas are comprised of families
3. Mexican origin

Nonetheless, the limited amount of students recognized as economically disadvantage decreases within these high performing areas.

ii. **Describe the relationship between the residency patterns of racial/ethnic, national origin, and family status groups and their proximity to proficient schools.**

Three areas were identified as showing a school proficiency index of 80-100. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children.

1. Location : Edinburg - (Russell, Rooth/23rd Street, 107/University Drive, and McColl)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	Minimal	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 60.1% - 80%			

2. Location: McAllen – (Hobbs, North 10th, Nolana, and McColl)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	Frequent	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	Minimal
Asian/Pacific Islander, Non-Hispanic	Minimal/Frequent	Honduras	No indicators
Hispanic	Frequent/Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% - 80%			

3. Location: McAllen – (Jordan, Conway, Old Military Highway, and Ware Road)

Race/Ethnicity	Intensity of Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal/Frequent	Mexico	No data
Black, Non-Hispanic	Minimal	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	Minimal	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% - 80%			

For areas in which racial and ethnic persons other than Hispanic appear, access to proficient schools is available. Similarly, in areas in which persons of national origin other than Mexico appear, proficient schools are also readily available. The highest proficient schools are found in non-R/ECAP areas and mostly within the MSA. While residency patterns are denser in the MSA, a significant population resides outside of the MSA in smaller populated cities/rural areas. For the most part, lower proficient schools are located in these rural or smaller populated cities.

iii. Describe how school-related policies, such as school enrollment policies, affect a student's ability to attend a proficient school. Which protected class groups are least successful in accessing proficient schools?

Data was gathered from local schools districts to determine the various school policies and programs available to students. It was noted that all school districts allowed for open enrollment. Districts self-reported an effective use of technology. Moreover, Edcouch-Elsa ISD is making improvements to their technology center to enhance the availability of student resources. It should be noted that the Edcouch-Elsa ISD is located next to a school district which had a low school proficiency index. In addition, Hidalgo ISD which has a low school proficiency index indicated that renovations for several campuses are currently planned. It is important to note that all public schools indicated they provide transportation. However, the magnet and charter schools may not all provide transportation.

As previously noted, the HUD School Proficiency Index is based on state exams. The state exams are developed and administered by the Texas Education Agency (TEA). Information from TEA's website was obtained in order to review whether a set of characteristics frequently occurred for either low or high proficiency schools. Characteristics which were reviewed included the percentage of Attendance Rate, Economically Disadvantaged, English Language Learner, and Mobility Rate, as well as Class Size and Number of Distinguished Designations.

b. Employment Opportunities

- i. **Describe any disparities in access to jobs and labor markets by protected class groups.**

HUD resources utilized for the analysis of this section include:

- Table 12 – Opportunity indicators, by Race and Ethnicity – Jobs Proximity and Labor Market
- Map 8 – Demographics and Job Proficiency – Jobs Proximity Index
- Map 8 – Demographics and Job Proficiency – Race/Ethnicity - Hispanic
- Map 8 – Demographics and Job Proficiency – Race/Ethnicity – Non-Hispanic
- Map 8 – Demographics and Job Proficiency – National Origin - Mexico
- Map 8 – Demographics and Job Proficiency – National Origin - Others
- Map 8 – Demographics and Job Proficiency - Percentage of Households that are Families with children
- Map 9 – Demographics and Labor Market – Labor Market Index
- Map 9 – Demographics and Labor Market – Race/Ethnicity - Hispanic
- Map 9 – Demographics and Labor Market – Race/Ethnicity – Non-Hispanic
- Map 9 – Demographics and Labor Market – National Origin - Mexico
- Map 9 – Demographics and Labor Market – National Origin - Others
- Map 9 – Demographics and Labor Market - Percentage of Households that are Families with children

Table 12 – Opportunity indicators, by Race and Ethnicity (Labor Market and Jobs Index)

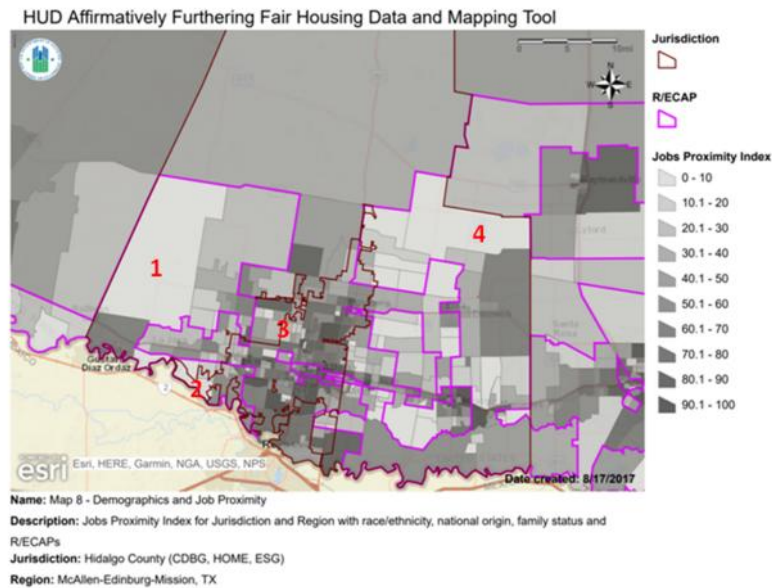
(Hidalgo County, TX CDBG, HOME, ESG) Jurisdiction	Jobs Proximity Index	Labor Market Index
Total Population		
White, Non-Hispanic	42.77	23.87
Black, Non-Hispanic	23.50	13.01
Hispanic	35.17	20.15
Asian or Pacific Islander, Non-Hispanic	41.59	36.74
Native American, Non-Hispanic	41.43	22.55
Population below federal poverty line		
White, Non-Hispanic	39.37	17.59
Black, Non-Hispanic	22.92	20.72
Hispanic	33.90	17.93
Asian or Pacific Islander, Non-Hispanic	44.05	19.50
Native American, Non-Hispanic	36.20	23.37
(McAllen-Edinburg-Mission, TX) Region		
Total Population		
White, Non-Hispanic	52.92	41.04
Black, Non-Hispanic	46.18	39.38
Hispanic	43.61	28.97
Asian or Pacific Islander, Non-Hispanic	63.04	60.64
Native American, Non-Hispanic	51.04	36.02
Population below federal poverty line		
White, Non-Hispanic	52.50	34.94
Black, Non-Hispanic	35.15	37.87
Hispanic	41.23	23.52
Asian or Pacific Islander, Non-Hispanic	51.39	38.38
Native American, Non-Hispanic	44.53	25.79
Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA		
Note 2: Refer to the Data Documentation for details (www.hudexchange.info).		

The Jobs Proximity Index is the physical distance between place of residence and jobs by race and ethnicity. For all classes, persons who reside in the MSA, regardless of whether income is below the federal poverty line, have significantly better access to job locations. In the County, African-Americans have a lower job proximity index which translates to a larger distance between their residency and jobs. However, within the MSA, a lower proximity index for Blacks only occurs when income is below the federal poverty line. In all instances, White, Non-Hispanic persons have the highest or second highest job proximity index. Except for Hispanic persons, there is a ten to twenty-three point difference in the job proximity index for persons residing in the MSA than individuals living within the County.

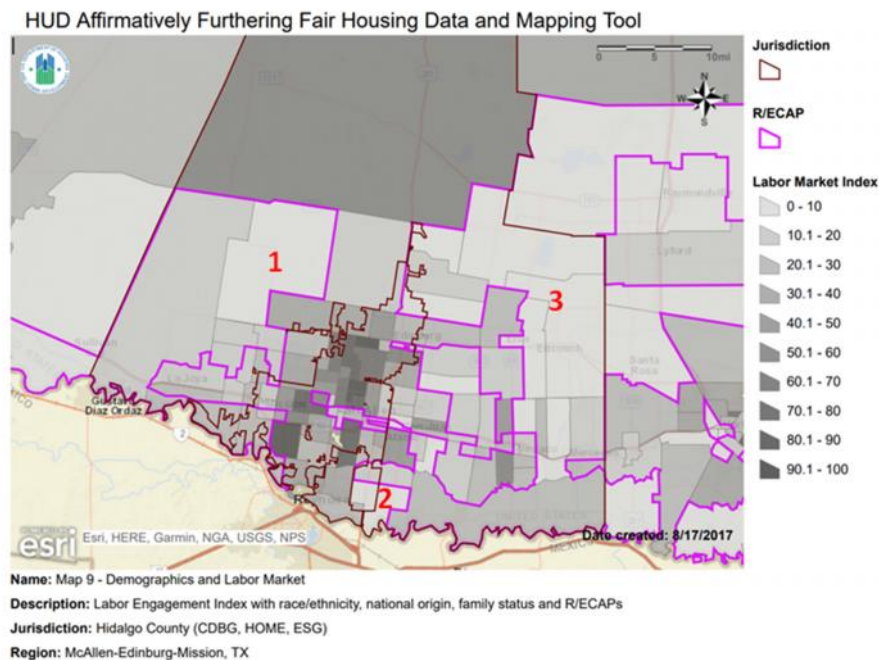
The Labor Market Index measures unemployment rate, labor-force, participation rate, and percentage of the population age 25 and above with at least a Bachelor's Degree, by Census Tract. For all classes, persons who reside in the MSA, regardless of whether income is below the federal poverty line, have significantly better access to job locations. Moreover, except for Native Americans, Non-Hispanic whose income is below the federal

poverty line, all racial and ethnic classes show a 6-26 labor market index increase. Nonetheless, within the MSA, Hispanics represent the protected class with the lowest job market index. For the County area, Blacks have the lowest job market index of all populations while White, Non-Hispanic have the lowest job market index for populations whose income is below the federal poverty line.

Map 8 – Jobs Proximity Index



Map 9 – Labor Market Index



Four areas were identified as showing a Jobs Proximity Index of 0-20. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children. While it may be noted that varied job proximity index values occur on the eastern side of the County, for analysis purposes, these areas were considered as one locale.

1. Location : North La Joya - (490, County Line, Buddy Owens Avenue, Iowa Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% – 80%			

2. Location: McAllen - (Trenton Road, Taylor, Mile 3 North, 23rd Street)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Frequent	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	Minimal
Native American, Non-Hispanic	No indicators	El Salvador	No indicators
Asian/Pacific Islander, Non-Hispanic	Minimal	Honduras	No indicators
Hispanic	Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% – 80%			

3. Location: La Joya South - (Military, County Road 1405, U.S. Border, Bentsen Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	No Indicators	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% – 60%			

4. Location: Eastern Hidalgo County - (County Line, Eastern MSA Boundary, Mile 3 North, Western County Line)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal/Frequent	Mexico	Concentrated
Black, Non-Hispanic	Minimal	Canada	No indicators applicable
Native American, Non-Hispanic	No indicators	El Salvador	Minimal
Asian/Pacific Islander, Non-Hispanic	No indicators applicable	Honduras	Minimal
Hispanic	Concentrated	Philippines	Minimal
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Mostly in R/ECAP			
% of Households that are families with children: 0% – 80%			

Of the four locations, it is easily apparent that lower job proximity indexes occur along the eastern and western boundaries of the County and that access to jobs is more prevalent in the MSA. Lower job proximity indexes occur less frequently in the MSA as compared to the County. As expected, Hispanics and persons of Mexico national origin appear more frequently in all areas regardless of a lower job proximity index. R/ECAP areas which occur along the western, southern, and eastern boundaries of the County are more likely to have lower job proximity index values.

Three areas were identified as showing a Labor Market Index of 0-10. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children. While it may be noted that varied labor market index values occur on the eastern side of the County, for analysis purposes, these areas were considered as one locale.

1. Location : North, North Alton – (490, Abram Road, Mile 7, Moorefield Road, Monte Cristo, Wallace/Shary Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% – 60%			

2. Location : South Pharr – San Juan - Alamo (Dicker, Jackson, U.S. Boundary, South Alamo Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent/Concentrated	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% – 80%			

3. Location: Eastern Hidalgo County - (County Line, Eastern MSA Boundary, Mile 3 North, Western County Line)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Frequent	Mexico	Concentrated
Black, Non-Hispanic	Minimal	Canada	No indicators applicable
Native American, Non-Hispanic	No indicators	El Salvador	Minimal
Asian/Pacific Islander, Non-Hispanic	No indicators applicable	Honduras	Minimal
Hispanic	Frequent/Concentrated	Philippines	Minimal
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Mostly in R/ECAP			
% of Households that are families with children: 0% – 80%			

ii. How does a person's place of residence affect their ability to obtain a job?

A person's place of residence surely affects their ability to obtain a job. As discussed, higher job proximity index values and higher labor market index values are frequently found within the MSA. As such, residing within the entitlement communities provides a better likelihood that a person would be able to obtain a job.

Data was gathered from employers, employment agencies, local Chambers of Commerce, and Economic Development Corporations. It was noted that limited number of jobs related to technology and/or skilled manufacturing exist. Further, a lack of training and educational programs as well as limited and decreasing federal assistance to provide job training/job readiness are continued hindrances for persons of all classes.

iii. **Which racial/ethnic, national origin, or family status groups are least successful in accessing employment?**

Other than Hispanics, no other racial or ethnic group has a concentration in low job proximity or labor market index areas. Further, family status is also not a determinant in whether an individual is likely to reside in a higher or lower job proximity or labor market index areas.

Due to recent national issues regarding immigration and foreign policy, the area was faced with a slowing economy. A slowing retail economy may translate into a higher unemployment rate, potential cost burden, particularly for families, and limited sources of funding to provide support services.

c. **Transportation Opportunities**

i. **Describe any disparities in access to transportation based on place of residence, cost, or other transportation related factors.**

HUD resources utilized for the analysis of this section include:

- Table 12 – Opportunity indicators, by Race and Ethnicity (Transit and Low Transportation Cost Index)
- Map 10 – Demographics and Transit Trips – Race/Ethnicity - Hispanic
- Map 10 – Demographics and Transit Trips – Race/Ethnicity – Non-Hispanic
- Map 10 – Demographics and Transit Trips – National Origin - Mexico
- Map 10 – Demographics and Transit Trips – National Origin - Others
- Map 10 – Demographics and Transit Trips - Percentage of Households that are Families with children
- Map 11 – Demographics and Low Transportation Cost – Race/Ethnicity – Hispanic
- Map 11 – Demographics and Low Transportation Cost – Race/Ethnicity – Non-Hispanic
- Map 11 – Demographics and Low Transportation Cost – National Origin - Mexico
- Map 11 – Demographics and Low Transportation Cost – National Origin – Other
- Map 11 – Demographics and Low Transportation Cost – Percentage of Households that are Families with children

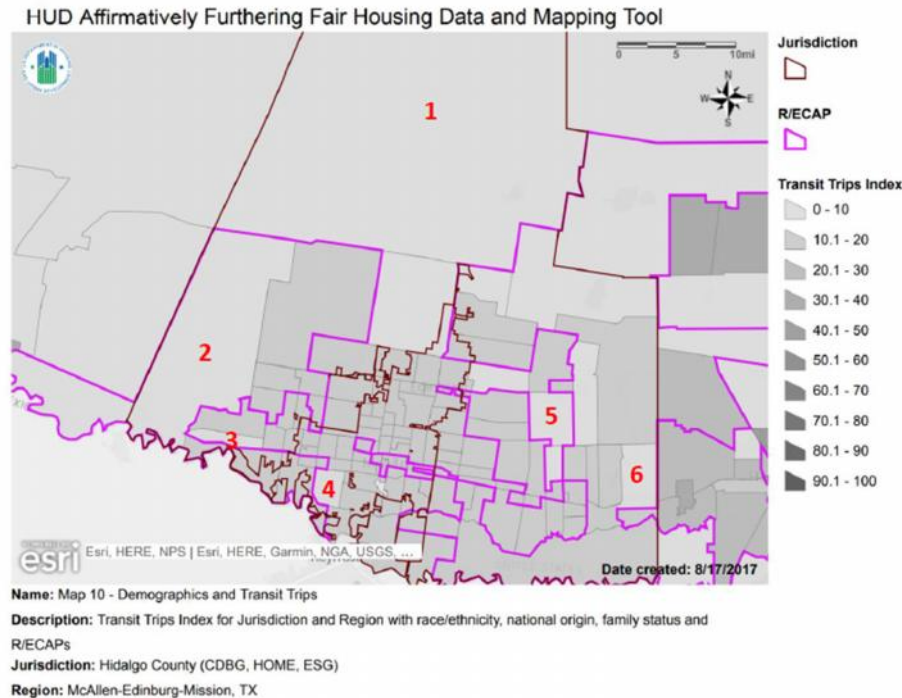
Table 12 – Opportunity indicators, by Race and Ethnicity (Transit and Low Transportation Cost Index)

(Hidalgo County, TX CDBG, HOME, ESG) Jurisdiction	Transit Index	Low Transportation Cost Index
Total Population		
White, Non-Hispanic	14.09	21.86
Black, Non-Hispanic	7.48	57.30
Hispanic	12.71	17.01
Asian or Pacific Islander, Non-Hispanic	14.59	24.66
Native American, Non-Hispanic	12.39	18.05
Population below federal poverty line		
White, Non-Hispanic	13.72	22.30
Black, Non-Hispanic	13.49	28.72
Hispanic	12.57	16.10
Asian or Pacific Islander, Non-Hispanic	12.98	17.87
Native American, Non-Hispanic	15.10	17.87
(McAllen-Edinburg-Mission, TX) Region		
Total Population		
White, Non-Hispanic	14.71	29.35
Black, Non-Hispanic	11.89	44.94
Hispanic	13.85	24.29
Asian or Pacific Islander, Non-Hispanic	14.48	31.47
Native American, Non-Hispanic	14.16	27.62
Population below federal poverty line		
White, Non-Hispanic	14.95	31.92
Black, Non-Hispanic	14.43	32.38
Hispanic	13.66	23.11
Asian or Pacific Islander, Non-Hispanic	14.51	26.36
Native American, Non-Hispanic	15.44	26.18
Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA Note 2: Refer to the Data Documentation for details (www.hudexchange.info).		

The transit trips Index measures how often low income families in a neighborhood use public transportation, in an effort to gauge practical availability. As it relates to the population, the transit index rises when residing in the MSA, except for Asian or Pacific Islander, Non-Hispanic. For this class, the reduction is negligible. The transit index further rises for persons whose income is below the federal poverty line and who reside in the MSA. The lowest transit trips index value occurs for Black, Non-Hispanic persons residing outside of the MSA.

The low transportation cost index measures the cost of transportation and proximity to public transportation by neighborhood. The low transportation cost index for White, Non-Hispanics is between 21 and 31 regardless of income or location within the MSA. For Black, Non-Hispanic, the low transportation cost index values have a larger spread. For this class, it appears location and income are determinants in accessing transportation. For Asian or Pacific Islanders, Non-Hispanic, and Native Americans, Non-

Hispanic, low transportation cost index values increase within the MSA. For Hispanic persons regardless of income or locale, this class sees the lowest low transportation cost index values.



ii. Which racial/ethnic, national origin or family status groups are most affected by the lack of a reliable, affordable transportation connection between their place of residence and opportunities?

Four areas were identified as showing a Low Transportation Cost Index of 0-20. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children. While it may be noted that varied job proximity index values occur on the eastern side of the County, for analysis purposes, these areas were considered as one locale.

1. Location : Rural Hidalgo County - (Northern-most boundary, Eastern-most boundary, 490, Western-most boundary)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Minimal
Black, Non-Hispanic	Minimal	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators
Hispanic	Frequent	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% - 80%			

2. Location: Sullivan City - (490, Western-most boundary, U.S. Boundary, Iowa Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent/Concentrated	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% – 80%			

3. Location: South La Joya/Penitas - (Expressway 83, CO 1405, Military Road, Abrams Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators
Hispanic	Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 20.1% – 80%			

4. Location: South Mission - (I2, Conway, Military Road, Shary Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Frequent	Mexico	No data
Black, Non-Hispanic	Minimal	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	Minimal	Honduras	No data
Hispanic	Concentrated	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% – 80%			

5. Location: San Carlos –Edcouch - Elsa – (Delta Area)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	Minimal
Hispanic	Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Mostly out of R/ECAP			
% of Households that are families with children: 40.1% – 80%			

6. Location: East Mercedes - (Mile 12, Baseline, Business 83, County line)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators
Hispanic	Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% – 80%			

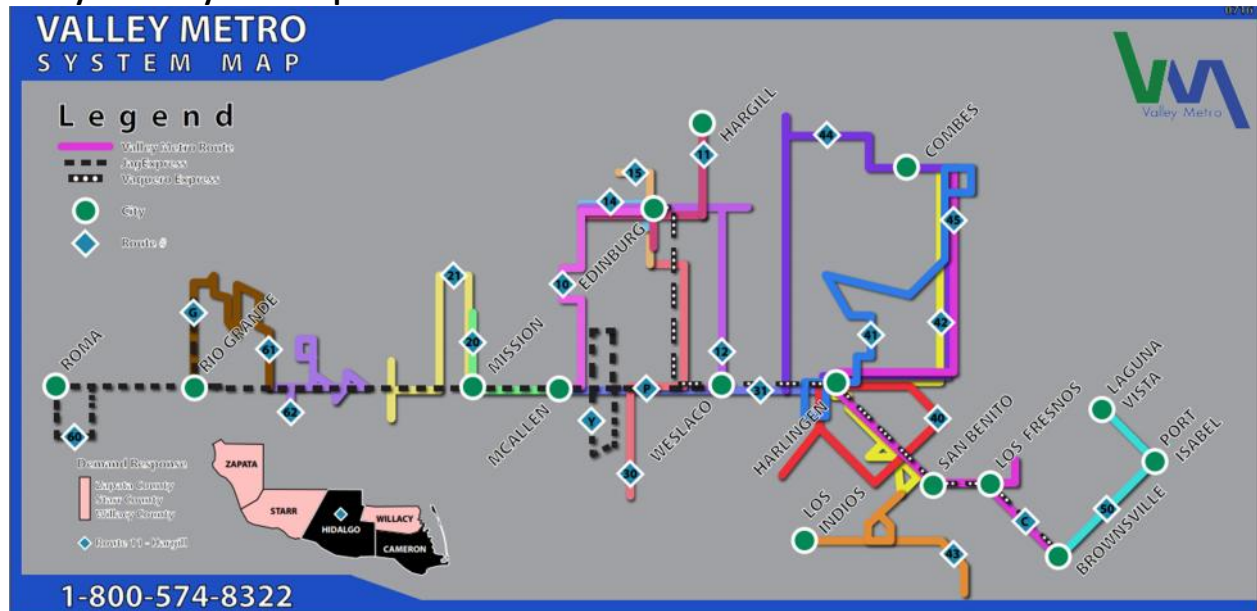
No racial/ethnic, national origin or familial status group are least or more successful in accessing employment than any other group. As previously noted, employment opportunities tend to be found along the transportation corridor North and South

Expressway 281 and East and West along Business 83. This may affect a person's residency in the metro area, more opportunities are abound.

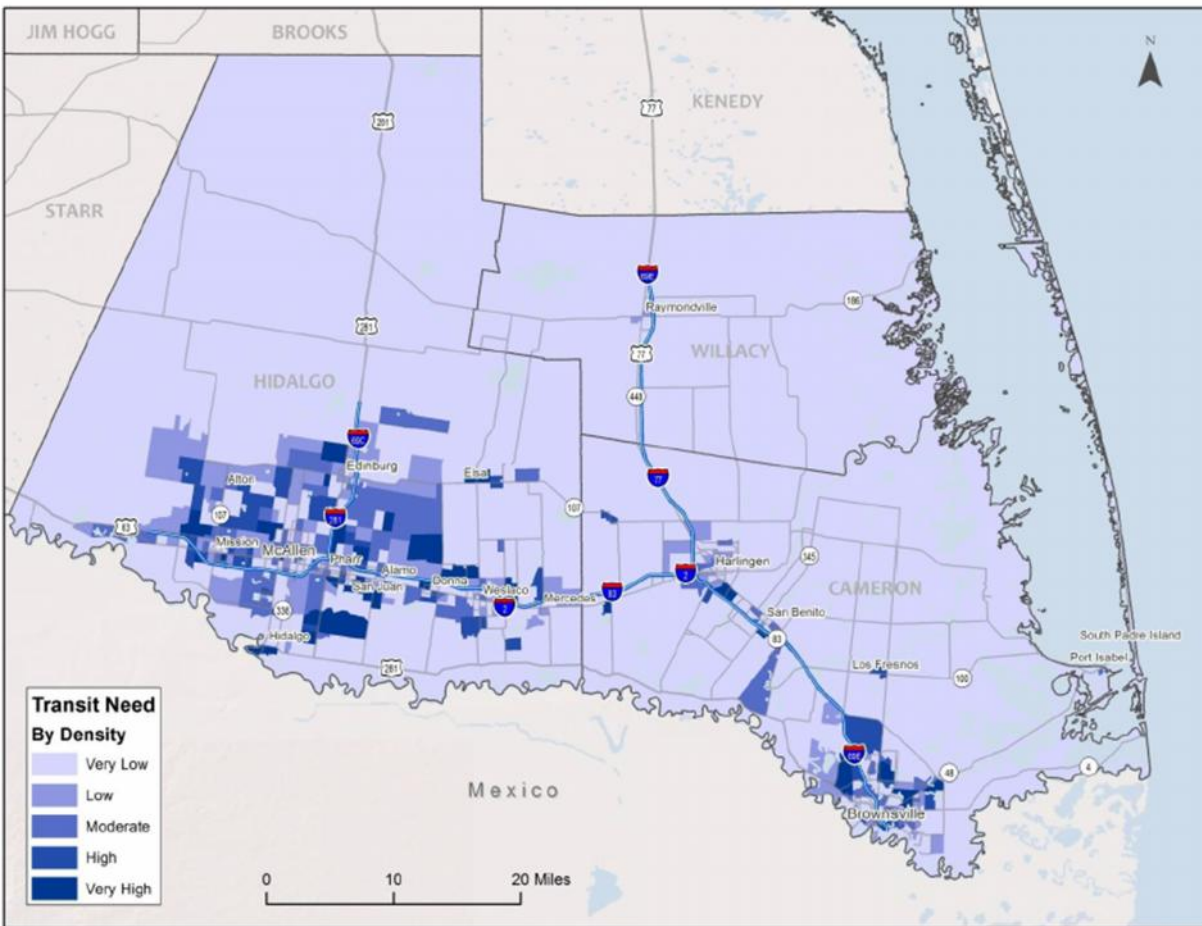
- iii. **Describe how the jurisdiction's and region's policies, such as public transportation routes or transportation systems designed for use personal vehicles, affect the ability of protected class groups to access transportation.**

Under the Lower Rio Grande Valley Development Council (LRGVDC), a metropolitan planning organization (MPO) exists to review and update transportation routes particularly for personal vehicles and transit services. McAllen is the only community which has intra-city bus service. The remainder of the region is served by Valley Metro Services. These services include bus transportation as well as para-transit services.

Valley Metro System Map

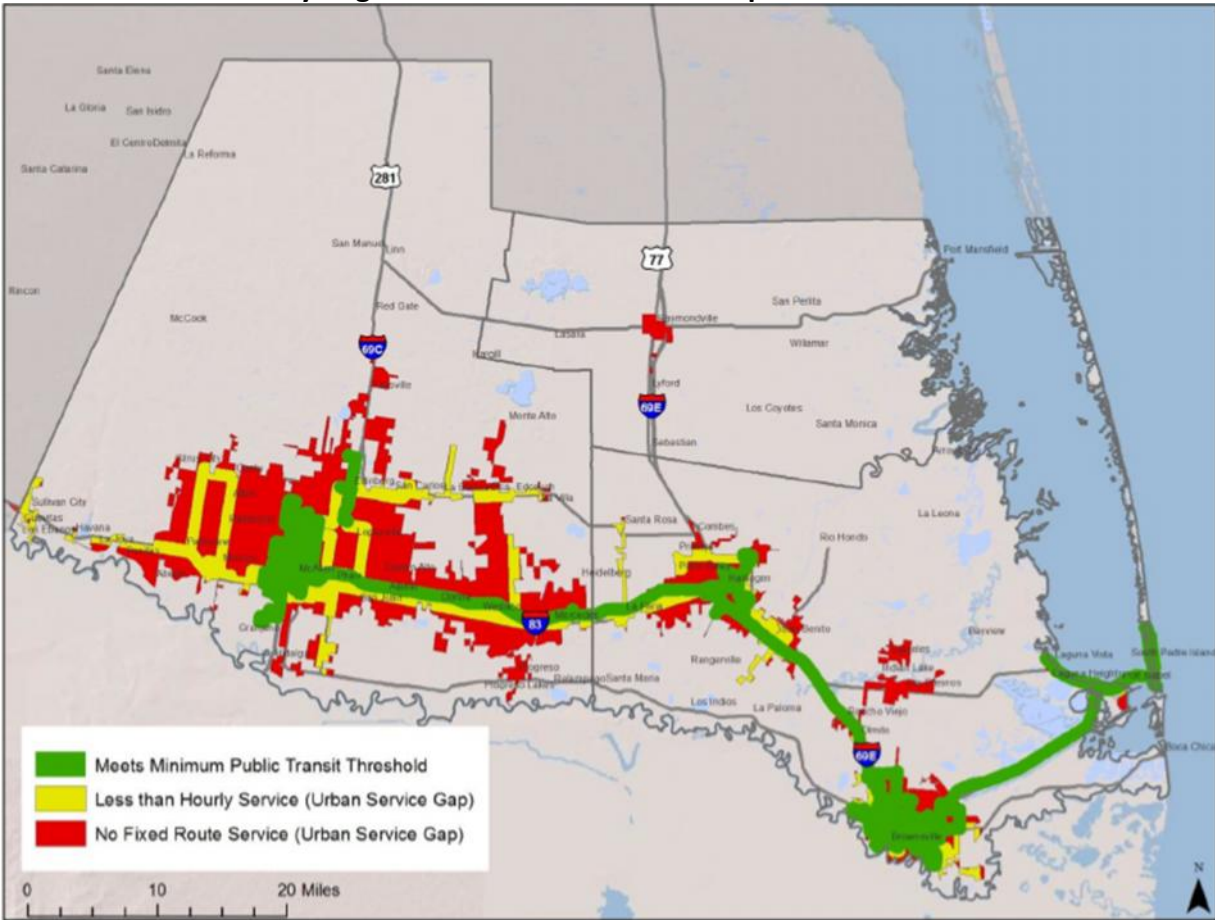


Transit Dependence Index Density



Source: U.S. Census and American Community Survey
LRGVDC Public Transportation Coordination Plan

Lower Rio Grande Valley Region Urban Transit Service Gaps



Source: LRGVDC Public Transportation Coordination Plan

d. Low Poverty Exposure Opportunities

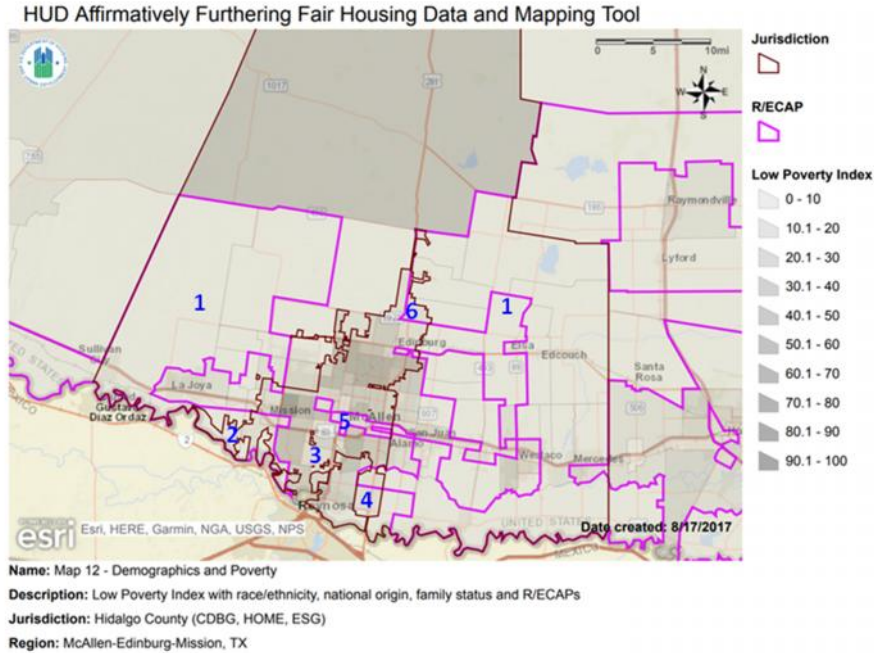
i. Describe any disparities in exposure to poverty by protected class groups.

HUD resources utilized for the analysis of this section include:

- Table 12 – Opportunity indicators, by Race and Ethnicity (Low Poverty Index)
- Map 12 – Demographics and Poverty – Race/Ethnicity - Hispanic
- Map 12 – Demographics and Poverty – Race/Ethnicity – Non-Hispanic
- Map 12 – Demographics and Poverty – National Origin - Mexico
- Map 12 – Demographics and Poverty – National Origin - Others
- Map 12 – Demographics and Poverty - Percentage of Households that are Families with children

Table 12 – Opportunity indicators, by Race and Ethnicity (Low Poverty Index)

(Hidalgo County, TX CDBG, HOME, ESG) Jurisdiction	Low Poverty Index
Total Population	
White, Non-Hispanic	10.56
Black, Non-Hispanic	6.15
Hispanic	8.16
Asian or Pacific Islander, Non-Hispanic	18.77
Native American, Non-Hispanic	9.22
Population below federal poverty line	
White, Non-Hispanic	6.41
Black, Non-Hispanic	7.50
Hispanic	6.27
Asian or Pacific Islander, Non-Hispanic	7.15
Native American, Non-Hispanic	8.32
(McAllen-Edinburg-Mission, TX) Region	
Total Population	
White, Non-Hispanic	21.66
Black, Non-Hispanic	21.70
Hispanic	13.99
Asian or Pacific Islander, Non-Hispanic	33.84
Native American, Non-Hispanic	18.74
Population below federal poverty line	
White, Non-Hispanic	17.25
Black, Non-Hispanic	20.38
Hispanic	9.64
Asian or Pacific Islander, Non-Hispanic	22.03
Native American, Non-Hispanic	7.97
Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA	
Note 2: Refer to the Data Documentation for details (www.hudexchange.info).	



Six areas were identified as showing a Low Poverty Index of 0-20. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children.

1. Location : Outside of the MSA, except for Northernmost tract

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Frequent	Mexico	Minimal and No data areas
Black, Non-Hispanic	Minimal	Canada	No indicators and No data
Native American, Non-Hispanic	No indicators	El Salvador	Minimal
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	Minimal
Hispanic	Frequent/Concentrated	Philippines	Minimal
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Mostly R/ECAP			
% of Households that are families with children: 0% - 80%			

2. Location: South Palmview Inside the MSA

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Frequent and No data areas
Black, Non-Hispanic	No indicators	Canada	No indicators and No data
Native American, Non-Hispanic	No indicators	El Salvador	No indicators and No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators and No data
Hispanic	Frequent/Concentrated	Philippines	No indicators and No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 40.1% – 80%			

3. Location: South McAllen Inside the MSA

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No indicators and No data
Native American, Non-Hispanic	No indicators	El Salvador	No indicators and No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators and No data
Hispanic	Frequent/Concentrated	Philippines	No indicators and No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 40.1% – 80%			

4. Location: South Pharr (Las Milpas) Inside the MSA

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No indicators and No data
Native American, Non-Hispanic	No indicators	El Salvador	No indicators and No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators and No data
Hispanic	Frequent/Concentrated	Philippines	No indicators and No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In and Out of R/ECAP			
% of Households that are families with children: 40.1% – 80%			

5. Location: Pharr/McAllen Inside the MSA along Expressway 83

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	No indicators and No data
Native American, Non-Hispanic	No indicators	El Salvador	No indicators and No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators and No data
Hispanic	Concentrated	Philippines	No indicators and No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 20.1% – 80%			

6. Location: North Edinburg Inside the MSA along Highway 281

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No indicators and No data
Native American, Non-Hispanic	No indicators	El Salvador	No indicators and No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No indicators and No data
Hispanic	Frequent	Philippines	No indicators and No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Mostly Out of R/ECAP			
% of Households that are families with children: 20.1% – 80%			

ii. What role does a person's place of residence play in their exposure to poverty?

It is more likely that exposure to poverty exists for persons residing outside of the MSA or within the R/ECAP area. High ranges of the low poverty index are seen in Mission, North McAllen, and Southern Edinburg.

iii. Which racial/ethnic, national origin or family status groups are most affected by these poverty indicators?

Neither racial/ethnic, national origin or familial status predict whether the household is exposed to low poverty areas. As previously discussed, households who live in the McAllen-Mission-Edinburg area are less likely to be exposed to low poverty areas as compared to the smaller cities/rural areas.

iv. Describe how the jurisdiction's and region's policies affect the ability of protected class groups to access low poverty areas.

Low poverty areas affect protected classes similarly to the general population. While jurisdictional variations occur, these policies do not impose additional barriers solely to protected classes.

e. Environmentally Healthy Neighborhood Opportunities

i. Describe any disparities in access to environmentally healthy neighborhoods by protected class groups.

HUD resources utilized for the analysis of this section include:

- Table 12 – Opportunity indicators, by Race and Ethnicity (Environmental Health Index)
- Map 13 – Demographics and Environmental Health – Race/Ethnicity - Hispanic
- Map 13 – Demographics and Environmental Health – Race/Ethnicity – Non-Hispanic
- Map 13 – Demographics and Environmental Health – National Origin - Mexico
- Map 13 – Demographics and Environmental Health – National Origin - Others
- Map 13 – Demographics and Environmental Health - Percentage of Households that are Families with children

Table 12 – Opportunity indicators, by Race and Ethnicity (Environmental Health Index)

(Hidalgo County, TX CDBG, HOME, ESG) Jurisdiction	Environmental Health Index
Total Population	
White, Non-Hispanic	78.65
Black, Non-Hispanic	65.63
Hispanic	78.62
Asian or Pacific Islander, Non-Hispanic	82.40
Native American, Non-Hispanic	77.03
Population below federal poverty line	
White, Non-Hispanic	78.32
Black, Non-Hispanic	72.24
Hispanic	78.41
Asian or Pacific Islander, Non-Hispanic	81.08
Native American, Non-Hispanic	75.92
(McAllen-Edinburg-Mission, TX) Region	
Total Population	
White, Non-Hispanic	76.83
Black, Non-Hispanic	72.81
Hispanic	78.34
Asian or Pacific Islander, Non-Hispanic	79.89
Native American, Non-Hispanic	76.34
Population below federal poverty line	
White, Non-Hispanic	76.72
Black, Non-Hispanic	74.56
Hispanic	78.37
Asian or Pacific Islander, Non-Hispanic	81.90
Native American, Non-Hispanic	78.02
Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA	
Note 2: Refer to the Data Documentation for details (www.hudexchange.info).	

Three areas were identified as showing a Environmental Health Index of 0-10. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children.

1. Location : Mid-Western (FM 490, Iowa Road, US Border, Shary Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal/Frequent	Mexico	Frequent
Black, Non-Hispanic	No indicators	Canada	Minimal
Native American, Non-Hispanic	No indicators	El Salvador	No Indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No Indicators
Hispanic	Frequent/Concentrated	Philippines	No Indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 0% - 80%			

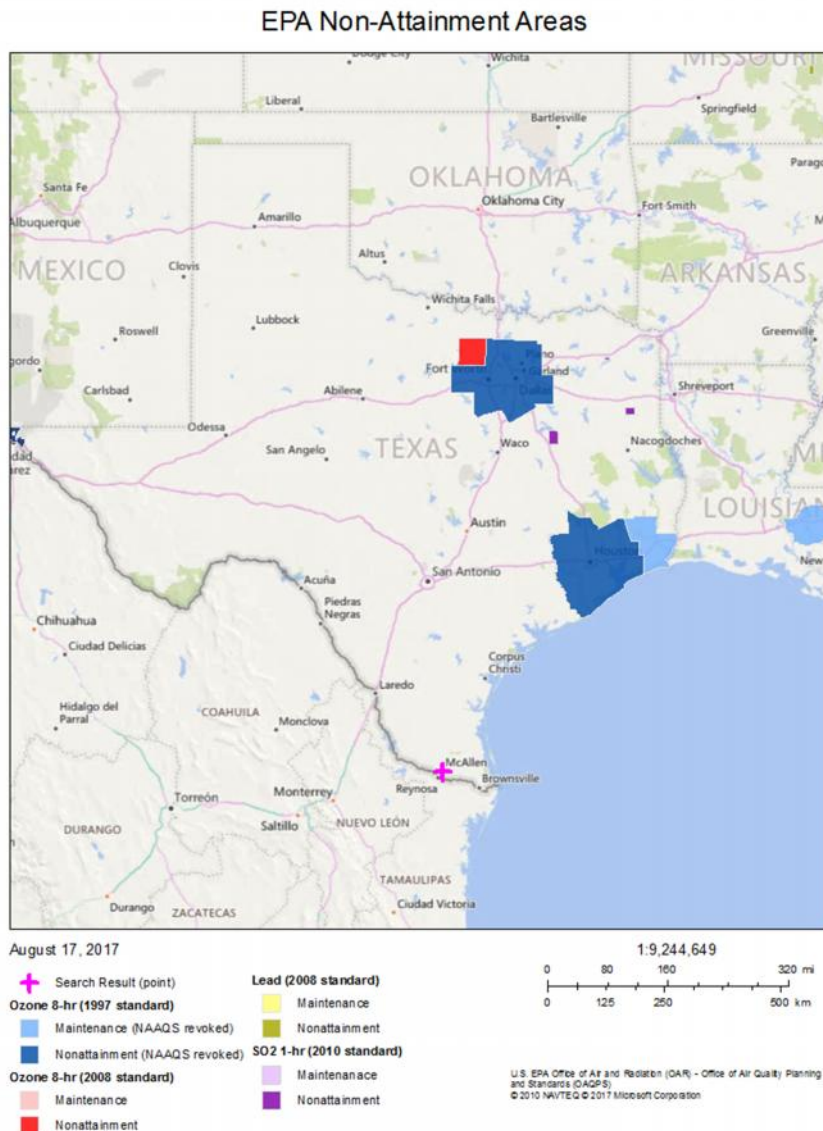
2. Location: MSA (University, Ware, US Border, Eastern MSA Border)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Concentrated	Mexico	Frequent/Concentrated
Black, Non-Hispanic	Minimal	Canada	Minimal
Native American, Non-Hispanic	No indicators	El Salvador	Minimal
Asian/Pacific Islander, Non-Hispanic	Minimal	Honduras	Minimal
Hispanic	Concentrated	Philippines	Minimal
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Out of R/ECAP			
% of Households that are families with children: 20.1% – 80%			

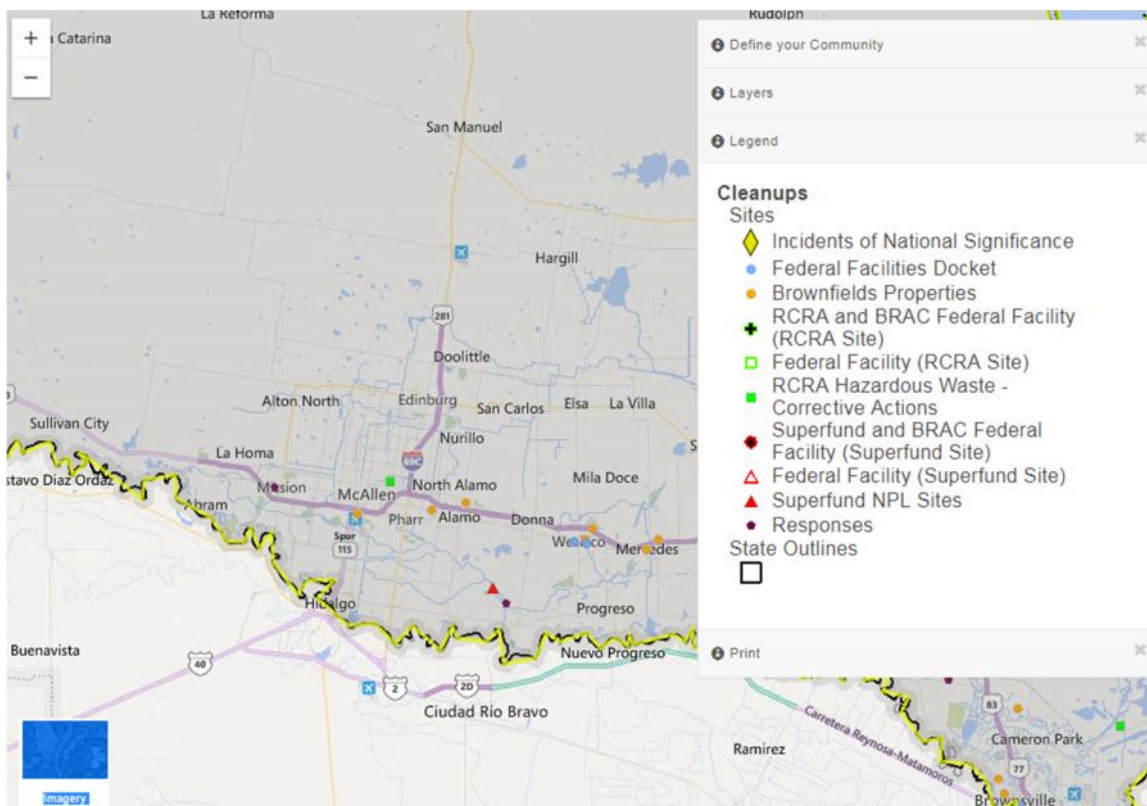
3. Location: San Juan to Weslaco (FM 490, Eastern MSA Border, Levee Road, Texas Blvd)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Frequent
Black, Non-Hispanic	Minimal	Canada	Minimal
Native American, Non-Hispanic	No indicators	El Salvador	Minimal
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	Minimal
Hispanic	Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			
% of Households that are families with children: 0% – 80%			

In an effort to comply with the requirement of this section, the previous tables summarize HUD's data regarding Environmentally Healthy Neighborhoods; however, because of the discrepancies noted in the maps such that it appears only 0-10 and 90.1-100 index values exist, this information appears to be inaccurate. To compensate and provide recent and reasonable data, the EPA's Non-Attainment Areas Map and Hazardous Sites listings are used to show that no potentially hazardous sites have been identified. As such, no protected classes are disproportionately subject to less healthy neighborhoods.



EPA Hazardous Sites



ii. Which racial/ethnic, national origin or family status groups have the least access to environmentally healthy neighborhoods?

In assessing the data provided by HUD, no group of protected classes are least likely to access environmentally healthy neighborhoods. As with other analysis, the number of Hispanic and persons from Mexico as their country of origin, which far exceed other races, ethnicities and other countries of origin, is more frequent in areas with both high and low environmental health index values.

f. Patterns in Disparities in Access to Opportunity

i. Identify and discuss any overarching patterns of access to opportunity and exposure to adverse community factors based on race/ethnicity, national origin or familial status. Identify areas that experience an aggregate of poor access to opportunity and high exposure to adverse factors. Include how these patterns compare to patterns of segregation and R/ECAPs.

The primary overarching pattern shows the areas along Hidalgo County's border tend to have less access to opportunity and more exposure to adverse community factors when

compared to persons residing within the MSA/entitlement communities. Since 1990, R/ECAP areas in the county have shrunk but have remained along all county borders. Therefore, individuals residing the furthest distance from the MSA face less access to opportunity and more exposure to adverse community factors. Even still, no patterns or trends exist for any of the protected classes.

2. Additional Information

- a. Beyond the HUD-provided data, provide additional relevant information, if any, about disparities in access to opportunity in the jurisdiction and region affecting groups with other protected characteristics.**

N/A

- b. The program participant may also describe other information relevant to its assessment of disparities in access to opportunity, including any activities aimed at improving access to opportunities for areas that may lack such access, or in promoting access to opportunity (e.g., proficient schools, employment opportunities, and transportation).**

Where applicable, schools/school districts strive to improve test scores annually. Employment opportunities are high priorities for the region's Elected Officials. Entities focused on increasing job opportunities within the area include private non-profit organizations such as local Chambers of Commerce and Economic Development Corporations. Further, in an effort to positively affect transportation, designs are underway for a multi-county loop as well as updates to vital transportation arteries.

3. Contributing Factors of Disparities in Access to Opportunity

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disparities in access to opportunity.

- Access to financial services
- The availability, type, frequency, and reliability of public transportation
- Lack of private investments in specific neighborhoods
- Lack of public investments in specific neighborhoods, including services or amenities
- Lack of regional cooperation
- Land use and zoning laws
- Lending Discrimination
- Location of employers
- Location of environmental health hazards
- Location of proficient schools and school assignment policies

- **Location and type of affordable housing**
- **Occupancy codes and restrictions**
- **Private discrimination**
- **Other**

Factor	Impact to Severity of Disparities in Access to Opportunity
Access to financial services	Significantly contributes to disparity for all persons
The availability, type, frequency, and reliability of public transportation	May perpetuate the severity particularly for persons with special needs/handicap
Lack of private investments in specific neighborhoods	May perpetuate the severity, particularly for aging neighborhoods or elderly persons
Lack of public investments in specific neighborhoods, including services or amenities	May perpetuate the severity; jurisdictional variations
Lack of regional cooperation	Not applicable; varied regional participation related to environmental concerns, traffic and influx of non-US persons
Land use and zoning laws	May perpetuate or increase severity of disparities; impacts not limited to protected classes; varied by jurisdiction
Lending Discrimination	May perpetuate or increase severities of disparities; impacts not limited to protected classes; varied by jurisdiction
Location of employers	May perpetuate, increase or decrease the severities of disparities; impacts not limited to protected classes; varied by jurisdiction
Location of environmental health hazards	May contribute to the severities of disparities; varied by jurisdiction
Location of proficient schools and school assignment policies	Limited or no increase to the severity of disparities since educational campuses indicated open enrollment policies
Location and type of affordable housing	May perpetuate the severities of disparities particularly for large families and persons with special needs/handicap
Occupancy codes and restrictions	May perpetuate the severities of disparities particularly for large families and persons with special needs/handicap

Private discrimination	May create/increase disparities
Other	Not applicable

iv. Disproportionate Housing Needs

1. Analysis

- a. Which groups (by race/ethnicity and family status) experience higher rates of housing cost burden, overcrowding, or substandard housing when compared to other groups? Which groups also experience higher rates of severe housing burdens when compared to other groups?**

HUD resources utilized for the analysis of this section include:

- Table 10 – Demographics of Households with Severe Housing Cost Burden
- Table 9 – Demographics of Households with Disproportionate Housing Needs
- Map 6 – Housing Problems – Race-Ethnicity – % Households with Burden - Hispanic
- Map 6 – Housing Problems – Race-Ethnicity – % Households with Burden – Non-Hispanic
- Map 6 – Housing Problems – National Origin - % Households with Burden – Mexico
- Map 6 – Housing Problems – National Origin - % Households with Burden – Other
- Table 11 – Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children
- Table 16 – Homeownership and Rental Rates by Race/Ethnicity

For persons residing outside of the MSA, Black, Non-Hispanic and Native-American, Non-Hispanics have the highest percentage of households experiencing any of the four housing problems. However, their total is 65 households. Hispanics far exceed their number of households at more than 45,000 who experience housing problems. Large family households are more likely to experience any of the four housing problems regardless of residing in or out of the MSA. Within the MSA, the percentage of households experiencing any of the four housing problems is greatest for Hispanics and Native-American, Non-Hispanic. However, it should be noted that the Native-American, Non-Hispanic size is exponentially smaller than the number of Hispanics facing any of the four housing problems, 80 to 84,400 households, respectively.

Black, Non-Hispanic who reside outside of the MSA disproportionately experience any of the four severe housing problems. Within the MSA, Native-American, Non-Hispanic households experience any of the four severe

housing problems. Cumulatively, these two groups represent 100 households. In contrast, more than 80,000 Hispanic households experience any of the four severe housing problems.

For persons residing outside of the MSA, Hispanics face the greatest frequency of severe housing costs burden. Family household size does not appear to have a significant impact on whether the household faces additional severe cost burden. Within the MSA, Native-American, Non-Hispanic have a disproportionate need as it relates to severe cost burden; however, although the percentage is significant, the number of households to which it applies is fifty-five. Non-family households within the MSA face a slight increase in likelihood of severe housing cost burden. Hispanics as a largest protected class account for nearly 47,000 households who face severe cost burden.

b. Which areas in the jurisdiction and region experience the greatest housing burdens? Which of these areas align with segregated areas, integrated areas, or R/ECAPs and what are the predominant race/ethnicity or national origin groups in such areas?

Four areas were identified as showing Households with Burdens exceeding 54.59%. These areas are summarized by location, by racial and ethnic composition, by national origin, whether locale is found in a R/ECAP, and percentage of families with children. The areas identified do not correlate with segregated areas.

1. Location : Mid-Western (FM 490, Iowa Road, US Border, Shary Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal/Frequent	Mexico	Frequent/Concentrated
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No Indicators
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No Indicators
Hispanic	Frequent/Concentrated	Philippines	No Indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			

2. Location: Hidalgo - South Pharr/San Juan - (W Juan Balli Road, Jackson, U.S. Border, Alamo Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Concentrated	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Mostly out of R/ECAP			

3. Location: North San Juan and Donna - (Owassa, I Road, I2, La Blanca Road)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	Concentrated
Black, Non-Hispanic	No indicators	Canada	No indicators
Native American, Non-Hispanic	No indicators	El Salvador	No indicators applicable
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	Minimal
Hispanic	Concentrated	Philippines	No indicators
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: Equally in and out of R/ECAP			

4. Location: North of Edinburg (E El Cibolo Road, Ramseyer Road, 493, Mile 22-1/2)

Race/Ethnicity	Dot Density	National Origin	Dot Density
White, Non-Hispanic	Minimal	Mexico	No data
Black, Non-Hispanic	No indicators	Canada	No data
Native American, Non-Hispanic	No indicators	El Salvador	No data
Asian/Pacific Islander, Non-Hispanic	No indicators	Honduras	No data
Hispanic	Frequent/Concentrated	Philippines	No data
Other, Non-Hispanic	No indicators		
Multi-racial, Non-Hispanic	No indicators		
R/ECAP: In R/ECAP			

- c. Compare the needs of families with children for housing units with two, and three or more bedrooms with the available existing housing stock in each category of publicly supported housing.**

For public housing, more than one half of the housing stock consists of three or more bedrooms. More than 70% of households who reside in public housing are comprised of households with children. Similarly, for project-based Section 8,

42% of units consist of 3 or more bedrooms. More than half of households who reside in project-based Section 8 units are comprised of households with children. No data was available for other multi-family projects. Households with two bedrooms are more frequently used in the Housing Choice Voucher (HCV) program. For the HCV program, 68% of households are comprised of households with children.

d. Describe the differences in rates of renter and owner occupied housing by race/ethnicity in the jurisdiction and region.

While no HUD data was provided for this assessment, a review of Census information was undertaken. In Hidalgo County (inclusive of the entitlement communities), the owner-occupied housing unit rate was 68.1%. For entitlement communities, the owner-occupied housing unit rate ranged from 54.7 to 69.6%. Information was obtained using the American Community Survey 2011-2015 (estimate). Further review of Census data indicated that the area's racial and ethnic composition includes 90.6% of Hispanics in Hidalgo County.

2. Additional Information

a. Beyond the HUD-provided data, provide additional relevant information, if any, about disproportionate housing needs in the jurisdiction and region affecting groups with other protected characteristics.

It should be noted that while certain protected classes may disproportionately face any of the four housing problems, their cumulative numbers are significantly less than the number of Hispanic households facing similar problems.

b. The program participant may also describe other information relevant to its assessment of disproportionate housing needs. For PHAs, such information may include a PHA's overriding housing needs analysis.

The PHA Housing Analysis is discussed in the publicly supported housing component of this document.

3. Contributing Factors of Disproportionate Housing Needs

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disproportionate housing needs.

- The availability of affordable units in a range of sizes
- Displacement of residents due to economic pressures
- Lack of private investments in specific neighborhoods

- **Lack of public investments in specific neighborhoods, including services or amenities**
- **Land use and zoning laws**
- **Lending Discrimination**
- **Other**

Factor	Impact to Severity of Disproportionate Housing Needs
The availability of affordable units in a range of sizes	May significantly increase the severity particularly for large households
Displacement of residents due to economic pressures	Ceases to remain a factor
Lack of private investments in specific neighborhoods	May contribute to disproportionate housing needs particularly outside of the MSA
Lack of public investments in specific neighborhoods, including services or amenities	May contribute to disproportionate housing needs particularly outside of the MSA
Land use and zoning laws	Ceases to remain a factor related to disproportionate housing needs
Lending Discrimination	May significantly increase the severity particularly for large households
Other	Income: May create or increase the severity of disproportionate housing needs particularly for large households, elderly households, and households with persons of special needs/handicap

C. **Publicly Supported Housing Analysis**

1. **Analysis**

a. **Publicly Supported Housing Demographics**

HUD resources utilized for the analysis of this section include:

- Table 5 – Publicly Supported Housing Units by Program Category
- Table 6 – Publicly Supported Households by Race/Ethnicity
- Table 7 – R/ECAP and Non-R/ECAP Demographics by Publicly Supported Housing Program Category
- Table 8 – Demographics of Publicly Supported Housing Developments, by Program Category
- Table 11 – Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children
- Table 15 – Disability by Publicly Supported Housing Program Category

- Map 5 – Publicly Supported Housing and Race/Ethnicity – Hispanic
 - Map 5 – Publicly Supported Housing and Race/Ethnicity – Non-Hispanic
- i. **Are certain racial/ethnic groups more likely to be residing in one category of publicly supported housing than other categories (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, and Housing Choice Voucher (HCV))?**

For Hidalgo County, more than 99% of households who reside in public housing or project based section 8 and HCV Program are Hispanic. No data was available for Other Multi-Family in Hidalgo County and all housing types for the MSA. However, due to the region's racial and ethnic composition, it could be inferred that Hispanics would make up the preponderance of households utilizing other multi-family units in Hidalgo County and public housing, project based section 8, other multi-family and HCV Program within the MSA.

- ii. **Compare the demographics, in terms of protected class, of residents of each category of publicly supported housing (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, and HCV) to the population in general, and persons who meet the income eligibility requirements for the relevant category of publicly supported housing. Include in the comparison, a description of whether there is a higher or lower proportion of groups based on protected class.**

Based on an analysis of Table 6 - Publicly Supported Households by Race/Ethnicity, an analysis was undertaken which was limited to Hidalgo County because the information for the MSA publicly supported housing units did not populate. While relatively insignificant there is a difference between the percentage of White, Non-Hispanic, who live in publicly supported housing versus the region, less than 1% and 6% respectively. No Black, Non-Hispanic, and Asian or Pacific Islander, reside in publicly supported housing and their presence in the region is limited to around 0.25%. However, Hispanics are highly represented in the region, MSA and in publicly supported housing.

White, Non-Hispanic account for nearly 4% of eligible households; however, less than 1% reside in these publicly supported categories. Blacks, Non-Hispanic account for less than 1% of eligible households; however, none reside in these publicly supported categories. Hispanics account for more than 95% of eligible households but account for 99% of these publicly supported units. Lastly, Asian or Pacific Islander, Non-Hispanic account for less than 1% of eligible households; however, none reside in these publicly supported categories. The reader should be cautioned that this data is fluid. Annualized data may indicate a more represented use of publicly supported housing by other racial and ethnic classes.

b. Publicly Supported Housing Location and Occupancy

- i. Describe patterns in the geographic location of publicly supported housing by program category (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, HCV, and LIHTC) in relation to previously discussed segregated areas and R/ECAPs.**

Publicly housing appears along Business 83 and Highway 281 (I2) transportation routes. Other Multi-Family developments appear within the City of Mission and the City of Mercedes. Project-Based Section 8 developments also appear along Business 83 and Highway 281 transportation routes with an additional development located within the City of Elsa. Low Income Housing Tax Credit developments appear along Business 83 and Highway 281 transportation routes with additional developments located within the City of Elsa, Edcouch and North Alton. IN considering the location of all publicly supported housing, approximately 60% of developments occur outside of the R/ECAP. Because no segregated areas were identified no housing developments are situation within segregated areas.

- ii. Describe patterns in the geographic location for publicly supported housing that primarily serves families with children, elderly persons, or persons with disabilities in relation to previously discussed segregated areas or R/ECAPs?**

For public housing and HCV Program in non-R/ECAP areas as well as Project-Based Section 8 in R/ECAP, the majority of households are classified as families with children. Project-Based Section 8 in non-R/ECAP account for 35% of households which include children. Project-Based Section 8 in non-R/ECAP areas have a preponderance of elderly households. It is worth noting that Project-Based Section 8 include HUD 202-Elderly developments. Households with a person with a disability account for 21% of Public Housing Units in non-R/ECAP areas. The percentage lessens for all other categories.

- iii. How does the demographic composition of occupants of publicly supported housing in R/ECAPS compare to the demographic composition of occupants of publicly supported housing outside of R/ECAPs?**

The percentages of racial/ethnic categories vary very slightly between R/ECAP and non-R/ECAP areas.

- iv. (A) Do any developments of public housing, properties converted under the RAD, and LIHTC developments have a significantly different demographic composition, in terms of protected class, than other developments of the same category? Describe how these developments differ.**

There is no significant differential demographic composition.

(B) Provide additional relevant information, if any, about occupancy, by protected class, in other types of publicly supported housing.

N/A

- v. **Compare the demographics of occupants of developments, for each category of publicly supported housing (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, properties converted under RAD, and LIHTC) to the demographic composition of the areas in which they are located. Describe whether developments that are primarily occupied by one race/ethnicity are located in areas occupied largely by the same race/ethnicity. Describe any differences for housing that primarily serves families with children, elderly persons, or persons with disabilities.**

To the extent that developments are primarily occupied by one race/ethnicity (Hispanic), such developments are reflective of areas occupied largely by the same race and ethnicity.

c. Disparities in Access to Opportunity

- i. **Describe any disparities in access to opportunity for residents of publicly supported housing, including within different program categories (public housing, project-based Section 8, Other HUD Multifamily Assisted Developments, HCV, and LIHTC) and between types (housing primarily serving families with children, elderly persons, and persons with disabilities) of publicly supported housing.**

There are no disparities in access for opportunity for residents of public housing based on protected classes.

2. Additional Information

- a. **Beyond the HUD-provided data, provide additional relevant information, if any, about publicly supported housing in the jurisdiction and region, particularly information about groups with other protected characteristics and about housing not captured in the HUD-provided data.**

N/A

- b. **The program participant may also describe other information relevant to its assessment of publicly supported housing. Information may include relevant programs, actions, or activities, such as tenant self-sufficiency, place-based investments, or mobility programs.**

Actions in order to assist individuals in public housing may include Self-Sufficiency Programs that:

- Federally subsidized programs assisting public housing authorities with management of mobility opportunities for families in public housing and housing choice voucher programs. Program permits an escrow balance to build-in; furthering the assistance to those individual who are successful within the program and become homeowners.
- Public Housing Authorities develop relationships with local schools and or secondary education providers furthering the academic needs of families with subsidized program.
- Community services requirements within the Public Housing Program permit the exposure to employment opportunities for families in need.

3. Contributing Factors-of Publicly Supported Housing Location and Occupancy

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing issues related to publicly supported housing, including Segregation, RECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each contributing factor that is significant, note which fair housing issue(s) the selected contributing factor relates to.

- Admissions and occupancy policies and procedures, including preferences in publicly supported housing
- Land use and zoning laws
- Community opposition
- Impediments to mobility
- Lack of private investment in specific neighborhoods
- Lack of public investment in specific neighborhoods, including services and amenities
- Lack of regional cooperation
- Occupancy codes and restrictions
- Quality of affordable housing information programs
- Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs
- Source of income discrimination
- Other

Factor	Impact to Severity of Fair Housing Issues
Admissions and occupancy policies and procedures, including preferences in publicly supported housing	Slight increase to the severity of Fair Housing Issues; jurisdictional variations
Land use and zoning laws	May contribute or perpetuate the severity of fair housing issues; jurisdictional variations
Community opposition	May significantly create or perpetuate the severity of fair housing issues, particularly for new construction; contributing factors 1, 4, and 6.
Impediments to mobility	Limited increase to the severity of fair housing issues jurisdictional variations
Lack of private investment in specific neighborhoods	Significantly create or perpetuate the severity of fair housing issues; contributing factor 4 and 5
Lack of public investment in specific neighborhoods, including services and amenities	Significantly create or perpetuate the severity of fair housing issues; contributing factors 4 and 5
Lack of regional cooperation	Not applicable
Occupancy codes and restrictions	May perpetuate, increase or decrease the severities of disparities; particularly for large families; varied by jurisdiction
Quality of affordable housing information programs	May contribute or perpetuate to the severities of disparities; contributing factor 6
Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs	May contribute to the severity of fair housing issues where discretionary aspects are applied
Source of income discrimination	Slight or no increase to the severity of fair housing issues
Other	N/A

D. Disability and Access Analysis

1. Population Profile

a. How are persons with disabilities geographically dispersed or concentrated in the jurisdiction and region, including R/ECAPs and other segregated areas identified in previous sections?

HUD resources utilized for the analysis of this section include:

- Table 13 – Disability by Type
- Table 14 – Disability by Age Group
- Map 14 – Disability by Type – Ambulatory, Self Care and Independent Living
- Map 14 – Disability by Type – Vision, Hearing and Cognitive
- Map 15 – Disability by Age Group

Three areas were identified in order to assess this section. These areas are summarized by location, by disability and whether the locale is found in a R/ECAP. The areas identified do not correlate with segregated areas.

1. Location : Western Hidalgo County (County line to the MSA)

Disability	Dispersed/Congregated	Age	Dispersed/Congregated
Hearing	Dispersed	5 – 17 Years Old	Lightly Dispersed
Vision	Dispersed	18 – 64 Years Old	Moderately Dispersed
Cognitive	Dispersed	Over 64 Years	Lightly Dispersed
R/ECAP: In a R/ECAP			

2. Location: McAllen -, Mission – Edinburg (MSA)

Disability	Dispersed/Congregated	Age	Dispersed/Congregated
Hearing	Congregated	5 – 17 Years Old	Moderately Dispersed
Vision	Congregated	18 – 64 Years Old	Congregated
Cognitive	Congregated	Over 64 Years	Moderately Dispersed
R/ECAP: Out of a R/ECAP			

3. Location: Eastern Hidalgo County (MSA to County line)

Disability	Dispersed/Congregated	Age	Dispersed/Congregated
Hearing	Dispersed	5 – 17 Years Old	Lightly Dispersed
Vision	Dispersed	18 – 64 Years Old	Moderately Dispersed
Cognitive	Dispersed	Over 64 Years	Moderately Dispersed
R/ECAP: In a R/ECAP			

b. Describe whether these geographic patterns vary for persons with each type of disability or for persons with disabilities in different age ranges.

Persons with disabilities more frequently reside within the MSA. However, significant portions of the population outside of the MSA have one of the three disabilities. The same type of geographic pattern occurs for the different age groups.

2. Housing Accessibility

- a. Describe whether the jurisdiction and region have sufficient affordable, accessible housing in a range of unit sizes.

The region is faced with insufficient affordable housing stock. Availability of accessible housing is infrequent. This problem is compounded for multi-generational and large family households.

- b. Describe the areas where affordable accessible housing units are located. Do they align with R/ECAPs or other areas that are segregated?

Persons with special needs/handicap are found throughout the region. No true congregation exists within the MSA or within R/ECAP areas.

- c. To what extent are persons with different disabilities able to access and live in the different categories of publicly supported housing?

Three areas were identified in order to assess this section. These areas are summarized by location, by type of care and whether the locale is found in a R/ECAP. The areas identified do not correlate with segregated areas.

1. Location : Western Hidalgo County (County line to the MSA)

Disability	Dispersed/Congregated
Ambulatory	Dispersed
Self-Care	Dispersed
Independent Living	Lightly Dispersed
R/ECAP: In a R/ECAP	

2. Location: McAllen -, Mission – Edinburg (MSA)

Disability	Dispersed/Congregated
Ambulatory	Congregated
Self-Care	Dispersed
Independent Living	Congregated
R/ECAP: Out of a R/ECAP	

3. Location: Eastern Hidalgo County (MSA to County line)

Disability	Dispersed/Congregated
Ambulatory	Dispersed
Self-Care	Dispersed
Independent Living	Dispersed
R/ECAP: In a R/ECAP	

3. Integration of Persons with Disabilities Living in Institutions and Other Segregated Settings

a. To what extent do persons with disabilities in or from the jurisdiction or region reside in segregated or integrated settings?

No concentration of persons with disability appears within the region. Further, since the region does not contain segregated settings, it may be inferred that persons with disabilities are integrated within the community/region.

b. Describe the range of options for persons with disabilities to access affordable housing and supportive services.

Local affordable housing and supportive service providers have made home modification programs available for persons with disabilities. Requirements for the use of federal funds have further made available affordable and accessible housing units in both the renter and home-owner markets.

4. Disparities in Access to Opportunity

a. To what extent are persons with disabilities able to access the following? Identify major barriers faced concerning:

- i. Government services and facilities**
- ii. Public infrastructure (e.g., sidewalks, pedestrian crossings, pedestrian signals)**
- iii. Transportation**
- iv. Proficient schools and educational programs**
- v. Jobs**

Based on the community-wide survey, barriers to accessing facilities and services in the above listed continue to exist for persons with disabilities. In particular, government facilities, public infrastructure, and transportation were noted as challenging for persons with disabilities.

b. Describe the processes that exist in the jurisdiction and region for persons with disabilities to request and obtain reasonable accommodations and accessibility modifications to address the barriers discussed above.

In order to request reasonable accommodations and accessibility modifications, persons often begin with a verbal request. Should the modification be delayed, the verbal request might be followed by a written request and/or legal recourse. In most cases, attention to the issue is prompt even if physical modifications to address the barriers are latent.

c. Describe any difficulties in achieving homeownership experienced by persons with disabilities and by persons with different types of disabilities.

Hindrances to achieving homeownership for persons with disabilities mirror the hindrances for the general population. Hindrances may include lack of financial means, readiness, and knowledge regarding appropriate lending and applicability of municipal/county regulations. Nonetheless, persons with disabilities face increased obstacles when intending to purchase an established home. Modifications to address the individuals/families needs may further increase the cost of housing as well as extend the period before the unit is readily available.

5. Disproportionate Housing Needs

a. Describe any disproportionate housing needs experienced by persons with disabilities and by persons with certain types of disabilities.

Upon review of HUD's maps and tables, no data was available to determine whether disproportionate housing needs exist for persons with disabilities. However, in viewing where persons with disabilities and where persons experiencing one of the four housing problems reside, overlap occurs. It can be inferred that persons with disabilities are faced with similar challenges.

6. Additional Information

a. Beyond the HUD-provided data, provide additional relevant information, if any, about disability and access issues in the jurisdiction and region affecting groups with other protected characteristics.

N/A

b. The program participant may also describe other information relevant to its assessment of disability and access issues.

Based on the community survey, physical therapy and occupational therapy, as well as, provision of glasses (vision) were most frequently noted as services accessed by households for whom a person of special needs/handicap resides. The services which would most improve quality of life for persons with a

disability were noted as medication assistance, physical therapy, and home modifications.

7. Disability and Access Issues Contributing Factors

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disability and access issues and the fair housing issues, which are Segregation, RECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each contributing factor, note which fair housing issue(s) the selected contributing factor relates to.

- Access to proficient schools for persons with disabilities
- Access to publicly supported housing for persons with disabilities
- Access to transportation for persons with disabilities
- Inaccessible government facilities or services
- Inaccessible sidewalks, pedestrian crossings, or other infrastructure
- Lack of affordable in-home or community-based supportive services
- Lack of affordable, accessible housing in range of unit sizes
- Lack of affordable, integrated housing for individuals who need supportive services
- Lack of assistance for housing accessibility modifications
- Lack of assistance for transitioning from institutional settings to integrated housing
- Land use and zoning laws
- Lending Discrimination
- Location of accessible housing
- Occupancy codes and restrictions
- Regulatory barriers to providing housing and supportive services for persons with disabilities
- State or local laws, policies, or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings
- Other

Factor	Impact to Severity of Disability and Access
Access to proficient schools for persons with disabilities	No impact
Access to publicly supported housing for persons with disabilities	May contribute to the severity of access
Access to transportation for persons with disabilities	Limited increase in the severity of access

Inaccessible government facilities or services	Contributes to the severity of access
Inaccessible sidewalks, pedestrian crossings, or other infrastructure	Significantly contributes to the severity; contributing factor 3
Lack of affordable in-home or community-based supportive services	Significantly contributes to the severity; contributing factor 1
Lack of affordable, accessible housing in range of unit sizes	Significantly contributes to the severity; contributing factor 4
Lack of affordable, integrated housing for individuals who need supportive services	Significantly contributes to the severity; contributing factor 4
Lack of assistance for housing accessibility modifications	Significantly contributes to the severity; contributing factor 4
Lack of assistance for transitioning from institutional settings to integrated housing	Limited to no significant contributions to the severity of access
Land use and zoning laws	Limited to no significant contributions to the severity of access
Lending Discrimination	Significantly create or perpetuate the severity of access; contributing factor 5
Location of accessible housing	Perpetuate the severity of access; jurisdictional variations; contributing factor 4
Occupancy codes and restrictions	Limited to no significant contributions to the severity of access
Regulatory barriers to providing housing and supportive services for persons with disabilities	Limited to no significant contributions to the severity of access
State or local laws, policies, or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings	Limited to no significant contributions to the severity of access
Other	Source of Income: Significantly create or perpetuate the severity of access; contributing factor 5

E. Fair Housing Enforcement, Outreach Capacity, and Resources Analysis

- List and summarize any of the following that have not been resolved: a charge or letter of finding from HUD concerning a violation of a civil rights-related law, a cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law, a letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern**

or practice or systemic violation of a fair housing or civil rights law, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing.

N/A

2. Describe any state or local fair housing laws. What characteristics are protected under each law?

Local fair housing laws mirror the Federal fair housing law. Protected classes are based on race, color, religion, sex, handicap, national origin and familial status. However, some jurisdictional variations exist.

3. Identify any local and regional agencies and organizations that provide fair housing information, outreach, and enforcement, including their capacity and the resources available to them.

The Fair Housing Council of Greater San Antonio was contacted regarding the development of this AFH document. The agency serves as a Fair Housing Initiatives Program (FHIP) grantee for the region. In addition, Texas Rural Legal Aid provided comments during stakeholder meetings and in one-to-one conversations. Both organizations serve to provide fair housing information, outreach and assistance for persons with fair housing issues.

4. Additional Information

a. Provide additional relevant information, if any, about fair housing enforcement, outreach capacity, and resources in the jurisdiction and region.

N/A

b. The program participant may also include information relevant to programs, actions, or activities to promote fair housing outcomes and capacity.

In an effort to encourage participation in the development of this AFH document, representatives from Texas Low Income Housing Information Service and Texas Legal Aid assisted in obtaining the views and concerns of colonia residents. Colonias are located outside of the MSA and are within R/ECAP areas.

5. Fair Housing Enforcement, Outreach Capacity, and Resources Contributing Factors

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing enforcement, outreach capacity, and resources and the fair housing issues, which are Segregation, RECAPs, Disparities in Access to

Opportunity, and Disproportionate Housing Needs. For each significant contributing factor, note which fair housing issue(s) the selected contributing factor impacts.

- Lack of local private fair housing outreach and enforcement
- Lack of local public fair housing enforcement
- Lack of resources for fair housing agencies and organizations
- Lack of state or local fair housing laws
- Unresolved violations of fair housing or civil rights law
- Other

Factor	Impact to Severity of Fair Housing Enforcement, Outreach Capacity and Resources and Fair Housing Issues
Lack of local private fair housing outreach and enforcement	Moderately contributes to the severity; contributing factor 6
Lack of local public fair housing enforcement	Moderately contributes to the severity; contributing factor 6
Lack of resources for fair housing agencies and organizations	Moderately contributes to the severity; contributing factor 6
Lack of state or local fair housing laws	Moderately contributes to the severity; contributing factor 6
Unresolved violations of fair housing or civil rights law	Severely contributes to the severity; contributing factor 6
Other	N/A

2. Fair Housing Goals and Priorities

1. For each fair housing issue, prioritize the identified contributing factors. Justify the prioritization of the contributing factors that will be addressed by the goals set below in Question 2. Give the highest priority to those factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance.

Fair Housing Contributing Factors and Priorities

Contributing Factor	Priority	Discussion
1. Limited access to decent, safe and affordable housing	High	With the prevalence of colonias in Hidalgo County compared with the rest of the state as well as the number of households lacking plumbing and kitchen facilities raise great concern. In addition, rising housing costs and stagnant/low wages inhibit some homeowners and rental providers from readily making housing improvements. Further, overcrowding situations occur more frequently in the region due to cultural norms.
2. Limited access to publicly supported housing	High	Shortages in number of publicly supported units compared to waitlist currently exist for housing authorities in Hidalgo County. Communities have faced decreasing federal support related to homebuyer and rental subsidies over the past few years. Limited number of qualified low-income housing providers are located within the area. Rents particularly in the MSA, reflect a steady increase. Private investment in affordable housing is limited or non-existent in some areas.
3. Limited access to transportation	Medium	While regional transportation routes have increased over the past few years, parts of Hidalgo County remain without access or with limited access. Areas of interests, such as health care, social service, educational and commercial facilities are becoming more increasingly accessible; however, the need for reliable and low cost transportation continues to exist.
4. Location and type of affordable housing	Medium	Area struggles with appropriately sized units particularly for families, large size families and multigenerational households. Further, compounding the issue would be cost and severe cost burden concerns. Inequity exists between urban and rural areas in relation to availability of housing.
5. Limited access to equitable financial services	Medium	In the recent past, predatory lending practices occurred in the area. Households who were victims of these lending practices continue to face the ramifications, including poor credit. Also, a lack of financial literacy has posed a hindrance to accessing traditionally available consumer credit. Further, credit agencies often compete for financially uninformed households. Lastly, high number/proportion of Spanish-speaking residents face challenges when reviewing and executing English-composed documents.
6. Lack of resources regarding fair housing	Medium	Housing practices and enforcement vary by community. Information regarding fair housing and the ability to purchase or access housing where one chooses may be impeded by socio- or economic factors. Further, apathy in fair housing issues exists within the community.
7. Limited access to proficient schools	Low	Educational policies, such as open enrollment, may sway or, conversely, limit a person's ability to freely choose the location of their home. Educational inequities are most apparent in areas or jurisdictions where a higher number of non-English speaking persons reside. Some of the school districts within the area face dwindling population while others scramble to accommodate the influx of students.
8. Jurisdictional variations	Low	Inequities in infrastructure, quality of buildings and housing construction and emergency services are apparent between municipalities and rural locales. Social services and access to these services may be hindered by the distance of one's residence to the MSA. Jurisdictions vary in implementation of policies, such as code enforcement, access to job training and job sites as well as availability of services for special needs populations.

2. **For each fair housing issue with significant contributing factors identified in Question 1, set one or more goals. Explain how each goal is designed to overcome the identified contributing factor and related fair housing issue(s). For goals designed to overcome more than one fair housing issue, explain how the goal will overcome each issue and the related contributing factors. For each goal, identify metrics and milestones for determining what fair housing results will be achieved, and indicate the timeframe for achievement.**

The goals and strategies listed herein provide a framework for action to address these fair housing issues and contributing factors. Such actions will be undertaken in the coming years through efforts by the County, Cities and PHAs in conjunction with community stakeholders. The following chart summarizes goals, contributing factors, fair housing issues and metrics and timeframe:

Goals	Contributing Factors	Fair Housing Issues	Metrics, Milestones and Timeframe for Achievement	Responsible Program Participant
		-	-	
To preserve and rehabilitate the region's existing single family housing stock	1 & 4	- Gentrification of neighborhoods - Familial cultural norms	- Rehabilitation or reconstruction of 45 housing units annually	Entitlement Communities
Discussion: Stakeholders stated that there is a lack of available financial resources to support the preservation and rehabilitation of the region's existing single family housing stock. Further, the Community Survey comments specifically noted a lack of available resources for home accessibility/modifications.				
To improve the living conditions and increase access to areas of opportunity for residents of Hidalgo County	4 & 8	- Disparities in access to opportunity	- Partner with LRGVDC to support goals and projects identified within the provider's long-term strategy. - Program participants will annually review available resources and attempt to ameliorate any disparities	All Program Participants
Discussion: The Community and Stakeholder comments revealed a gap in the availability of public transportation, health services, access to technology, housing and other social service programs.				
To improve housing and supportive services to the region's residents who face lack of access to quality housing	1, 4 & 8	- Lack of understanding of lending industry processes - Beneficiary capacity is often stretched for housing and social service providers	- Bi-annually conduct housing related classes - Conduct 8 Landlord training/outreach events - Encourage similarly funded entities to collaborate and streamline processes	All Program Participants
Discussion: Community Survey comments revealed the concern with access to all neighborhoods both from lenders and landlords. Stakeholder's reports indicate family financial constraints contribute to the lack of access to quality housing and appropriate unit size (specifically for large families).				

To preserve, provide and improve social services for residents including those with special needs, elderly, physically disabled and victims of domestic violence	3 & 8	- Lack of providers understanding of reasonable accommodation requirements	- Financially support 40 non-profit agencies annually	All Program Participants
<i>Discussion: Overarching misunderstanding/miscommunication between recipients of services and personnel representing landlords, schools, employment, and transportation. The Community survey comments revealed that “physical” is the prominent disability identified, for which they commented the need for adequate public transportation and appropriate medical facilities are lacking.</i>				
To expand economic opportunities in Hidalgo County	3, 5 & 8	- Disparities in access to opportunity	- Partner with Texas Workforce Solutions to provide additional outreach services through annual communication - Support goals and projects identified within provider’s long term strategy - 10 communication/coordination/outreach efforts to local Economic Development Corporations or Chambers of Commerce	All Program Participants
<i>Discussion: Stakeholders commented that where a family resides has a direct correlation to availability of employment opportunities. The Community Survey comments revealed that education and training were the largest barriers to employment. Spanish-speaking respondents most frequently selected “language” as the barrier to employment opportunities.</i>				
To provide accessible public facilities and infrastructure improvements in an effort to provide access for all persons	8	- Lack of providers understanding of reasonable accommodation requirements - Aging/undersized capacity of infrastructure - Rapid growth/increase in population	- 20 projects annually which improve public facilities/infrastructure to assure access for all	Entitlement Communities
<i>Discussion: The Community Survey comments revealed a lack of adequate storm sewer/drainage, educational/cultural facilities, neighborhood centers and running/jogging trails.</i>				

To ensure access to quality education and transportation services	3, 7 & 8	- Disparities in access to opportunity	- Support goals and projects identified within school and transportation service provider's long term strategies	All Program Participants
Discussion: Stakeholder data identifies the colonias and outlying areas as the most in need of regular, fixed-route service throughout the day to meet needs including commuter, medical, and shopping. Stakeholder and Community surveys indicated a gap in technology availability at the various school districts as well as improvements to educational facilities with regards to equal access for persons with special needs.				
To identify and strengthen measures to ameliorate discriminatory practices for protected classes	6 & 8	- Predatory lending practices - Inequality in accessibility to credit	- Continue/strengthen PHA mobilization opportunities - Partner/continue partnerships with agencies whose field of interest provides these services - Provide support, including financial, to the efforts and initiatives of agencies that support housing choice - Create a Fair Housing information and resource web page by 2019	All Program Participants
Discussion: Lack of financial literacy, predatory lending practices and misuse of credit was noted in the Community Survey. Additional concerns included intake processing and qualifying factors in obtaining housing.				

APPENDIX A – HUD-Provided Maps

Map 1 Race/Ethnicity – Current (2010) race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs

Map 2 Race/Ethnicity Trends – Past (1990 and 2000) race/ethnicity dot density maps for Jurisdiction and Region with R/ECAPs

Map 3 National Origin – Current 5 most populous national origin groups dot density map for Jurisdiction and Region with R/ECAPs

Map 4 LEP – LEP persons by 5 most populous languages dot density map for Jurisdiction and Region with R/ECAPs

Map 5 Publicly Supported Housing and Race/Ethnicity – Public Housing, Project-Based Section 8, Other Multifamily, and LIHTC locations mapped with race/ethnicity dot density map with R/ECAPs, distinguishing categories of publicly supported housing by color, for the Jurisdiction and Region

Map 6 Housing Choice Vouchers and Race/Ethnicity – Housing Choice Vouchers with race/ethnicity dot density map and R/ECAPs, for the Jurisdiction and Region

Map 7 Housing Burden and Race/Ethnicity – Households experiencing one or more housing burdens in Jurisdiction and Region with race/ethnicity dot density map and R/ECAPs

Map 8 Housing Burden and National Origin – Households experiencing one or more housing burdens in Jurisdiction and Region with national origin dot density map and R/ECAPs

Map 9 Demographics and School Proficiency – School proficiency thematic map for Jurisdiction and Region with race/ethnicity, national origin, and family status maps and R/ECAPs

Map 10 Demographics and Job Proximity – Job proximity thematic map for Jurisdiction and Region with race/ethnicity, national origin, and family status maps and R/ECAPs

Map 11 Demographics and Labor Market Engagement – Labor engagement thematic map for Jurisdiction and Region with race/ethnicity, national origin, and family status maps and R/ECAPs

Map 12 Demographics and Transit Trips – Transit proximity thematic map for Jurisdiction and Region with race/ethnicity, national origin, and family status maps and R/ECAPs

Map 13 Demographics and Low Transportation Costs – Low transportation cost thematic map for Jurisdiction and Region with race/ethnicity, national origin, and family status maps and R/ECAPs

Map 14 Demographics and Poverty – Low poverty thematic map for Jurisdiction and Region with race/ethnicity, national origin, and family status maps and R/ECAPs

Map 15 Demographics and Environmental Health – Environmental health thematic map for Jurisdiction and Region with race/ethnicity, national origin, and family status maps with R/ECAPs

Map 16 Disability by Type – Population of persons with disabilities dot density map by persons with vision, hearing, cognitive, ambulatory, self-care, and independent living difficulties with R/ECAPs for Jurisdiction and Region

Map 17 Disability by Age Group – All persons with disabilities by age range (5-17; 18-64; and 65+) dot density map with R/ECAPs for Jurisdiction and Region

APPENDIX B – HUD-Provided Tables

Table 1 Demographics – Tabular demographic data for Jurisdiction and Region (including total population, the number and percentage of persons by race/ethnicity, national origin (10 most populous), LEP (10 most populous), disability (by disability type), sex, age range (under 18, 18-64, 65+), and households with children)

Table 2 Demographic Trends – Tabular demographic trend data for Jurisdiction and Region (including the number and percentage of persons by race/ethnicity, total national origin (foreign born), total LEP, sex, age range (under 18, 18-64, 65+), and households with children)

Table 3 Racial/Ethnic Dissimilarity – Tabular race/ethnicity dissimilarity index for Jurisdiction and Region

Table 4 R/ECAP Demographics – Tabular data for the percentage of racial/ethnic groups, families with children, and national origin groups (10 most populous) for the Jurisdiction and Region who reside in R/ECAPs

Table 5 Publicly Supported Housing Units by Program Category – Tabular data for total units by 4 categories of publicly supported housing in the Jurisdiction (Public Housing, Project-Based Section 8, Other Multifamily, Housing Choice Voucher (HCV) Program) for the Jurisdiction

Table 6 Publicly Supported Housing Residents by Race/Ethnicity – Tabular race/ethnicity data for 4 categories of publicly supported housing (Public Housing, Project-Based Section 8, Other Multifamily, HCV) in the Jurisdiction compared to the population as a whole, and to persons earning 30% AMI, in the Jurisdiction

Table 7 R/ECAP and Non-R/ECAP Demographics by Publicly Supported Housing Program Category – Tabular data on publicly supported housing units and R/ECAPs for the Jurisdiction

Table 8 Demographics of Publicly Supported Housing Developments by Program Category – Development level demographics by Public Housing, Project-Based Section 8, and Other Multifamily¹ for the Jurisdiction

Table 9 Demographics of Households with Disproportionate Housing Needs – Tabular data of total households in the Jurisdiction and Region and the total number and percentage of households experiencing one or more housing burdens by race/ethnicity and family size in the Jurisdiction and Region

¹ Please note that, for the first year, census tract level demographic data in which publicly supported housing developments are located, also including LIHTC developments, are available through the AFFH Data and Mapping Tool which includes a data query function and ability to export tables.

Table 10 Demographics of Households with Severe Housing Cost Burden – Tabular data of the total number of households in the Jurisdiction and Region and the number and percentage of households experiencing severe housing burdens by race/ethnicity for the Jurisdiction and Region

Table 11 Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children – Tabular data on the number of bedrooms for units of 4 categories of publicly supported housing (Public Housing, Project-Based Section 8, Other Multifamily, HCV) for the Jurisdiction

Table 12 Opportunity Indicators by Race/Ethnicity – Tabular data of opportunity indices for school proficiency, jobs proximity, labor-market engagement, transit trips, low transportation costs, low poverty, and environmental health for the Jurisdiction and Region by race/ethnicity and among households below the Federal poverty line.

Table 13 Disability by Type – Tabular data of persons with vision, hearing, cognitive, ambulatory, self-care, and independent living disabilities for the Jurisdiction and Region

Table 14 Disability by Age Group – Tabular data of persons with disabilities by age range (5-17, 18-64, and 65+) for the Jurisdiction and Region

Table 15 Disability by Publicly Supported Housing Program Category – Tabular data on disability and publicly supported housing for the Jurisdiction and Region

APPENDIX C – Contributing Factors Descriptions

Access to financial services

The term “financial services” refers here to economic services provided by a range of quality organizations that manage money, including credit unions, banks, credit card companies, and insurance companies. These services would also include access to credit financing for mortgages, home equity, and home repair loans. Access to these services includes physical access - often dictated by the location of banks or other physical infrastructure - as well as the ability to obtain credit, insurance or other key financial services. Access may also include equitable treatment in receiving financial services, including equal provision of information and equal access to mortgage modifications. For purposes of this contributing factor, financial services do not include predatory lending including predatory foreclosure practices, storefront check cashing, payday loan services, and similar services. Gaps in banking services can make residents vulnerable to these types of predatory lending practices, and lack of access to quality banking and financial services may jeopardize an individual’s credit and the overall sustainability of homeownership and wealth accumulation.

Access to proficient schools for persons with disabilities

Individuals with disabilities may face unique barriers to accessing proficient schools. In some jurisdictions, some school facilities may not be accessible or may only be partially accessible to individuals with different types of disabilities (often these are schools built before the enactment of the ADA or the Rehabilitation Act of 1973). In general, a fully accessible building is a building that complies with all of the ADA's requirements and has no barriers to entry for persons with mobility impairments. It enables students and parents with physical or sensory disabilities to access and use all areas of the building and facilities to the same extent as students and parents without disabilities, enabling students with disabilities to attend classes and interact with students without disabilities to the fullest extent. In contrast, a partially accessible building allows for persons with mobility impairments to enter and exit the building, access all relevant programs, and have use of at least one restroom, but the entire building is not accessible and students or parents with disabilities may not access areas of the facility to the same extent as students and parents without disabilities. In addition, in some instances school policies steer individuals with certain types of disabilities to certain facilities or certain programs or certain programs do not accommodate the disability-related needs of certain students.

Access to publicly supported housing for persons with disabilities

The lack of a sufficient number of accessible units or lack of access to key programs and services poses barriers to individuals with disabilities seeking to live in publicly supported housing. For purposes of this assessment, publicly supported housing refers to housing units that are subsidized by federal, state, or local entities. “Accessible housing” refers to housing that accords individuals with disabilities equal opportunity to use and enjoy a dwelling. The concept of “access” here includes physical access for individuals with different types of disabilities (for example, ramps and other accessibility features for individuals with mobility impairments, visual alarms and signals for individuals who are deaf or hard of hearing, and audio signals, accessible signage, and other accessibility features for individuals who are blind or have low vision), as well as the provision of auxiliary aids and services to provide effective communication for individuals who are deaf or hard of hearing, are blind or have low vision, or individuals who have speech impairments. The concept of “access” here also includes programmatic access, which implicates such policies as application procedures, waitlist procedures, transfer procedures and reasonable accommodation procedures.

Access to transportation for persons with disabilities

Individuals with disabilities may face unique barriers to accessing transportation, including both public and private transportation, such as buses, rail services, taxis, and para-transit. The term “access” in this context includes physical accessibility, policies, physical proximity, cost, safety, reliability, etc. It includes the lack of accessible bus stops, the failure to make audio announcements for persons who are blind or have low vision, and the denial of access to persons with service animals. The absence of or clustering of accessible transportation and other transportation barriers may limit the housing choice of individuals with disabilities.

Admissions and occupancy policies and procedures, including preferences in publicly supported housing

The term “admissions and occupancy policies and procedures” refers here to the policies and procedures used by publicly supported housing providers that affect who lives in the housing, including policies and procedures related to marketing, advertising vacancies, applications, tenant selection, assignment, and maintained or terminated occupancy. Procedures that may relate to fair housing include, but are not limited to:

- Admissions preferences (e.g. residency preference, preferences for local workforce, etc.)
- Application, admissions, and waitlist policies (e.g. in-person application requirements, rules regarding applicant acceptance or rejection of units, waitlist time limitations, first come first serve, waitlist maintenance, etc.).
- Income thresholds for new admissions or for continued eligibility.
- Designations of housing developments (or portions of developments) for the elderly and/or persons with disabilities.
- Occupancy limits.
- Housing providers’ policies for processing reasonable accommodations and modifications requests.
- Credit or criminal record policies.
- Eviction policies and procedures.

The availability of affordable units in a range of sizes

The provision of affordable housing is often important to individuals with certain protected characteristics because groups are disproportionately represented among those who would benefit from low-cost housing. What is “affordable” varies by circumstance, but an often used rule of thumb is that a low- or moderate-income family can afford to rent or buy a decent-quality dwelling without spending more than 30 percent of its income. This contributing factor refers to the availability of units that a low- or moderate-income family could rent or buy, including one bedroom units and multi-bedroom units for larger families. When considering availability, consider transportation costs, school quality, and other important factors in housing choice. Whether affordable units are available with a greater number of bedrooms and in a range of different geographic locations may be a particular barrier facing families with children.

The availability, type, frequency, and reliability of public transportation

Public transportation is shared passenger transport service available for use by the general public, including buses, light rail, and rapid transit. Public transportation includes paratransit services for persons with disabilities. The availability, type, frequency, and reliability of public transportation affect which households are connected to community assets and economic opportunities. Transportation policies that are premised upon the use of a personal vehicle may impact public transportation.

“Availability” as used here includes geographic proximity, cost, safety and accessibility, as well as whether the transportation connects individuals to places they need to go such as jobs, schools, retail establishments, and healthcare. “Type” refers to method of transportation such as bus or rail. “Frequency” refers to the interval at which the transportation runs. “Reliability” includes such factors as an assessment of how often trips are late or delayed, the frequency of outages, and whether the transportation functions in inclement weather.

Community opposition

The opposition of community members to proposed or existing developments—including housing developments, affordable housing, publicly supported housing (including use of housing choice vouchers), multifamily housing, or housing for persons with disabilities—is often referred to as “Not in my Backyard,” or NIMBY-ism. This opposition is often expressed in protests, challenges to land-use requests or zoning waivers or variances, lobbying of decision-making bodies, or even harassment and intimidation. Community opposition can be based on factual concerns (concerns are concrete and not speculative, based on rational, demonstrable evidence, focused on measurable impact on a neighborhood) or can be based on biases (concerns are focused on stereotypes, prejudice, and anxiety about the new residents or the units in which they will live). Community opposition, when successful at blocking housing options, may limit or deny housing choice for individuals with certain protected characteristics.

Deteriorated and abandoned properties

The term “deteriorated and abandoned properties” refers here to residential and commercial properties unoccupied by an owner or a tenant, which are in disrepair, unsafe, or in arrears on real property taxes. Deteriorated and abandoned properties may be signs of a community’s distress and disinvestment and are often associated with crime, increased risk to health and welfare, plunging decreasing property values, and municipal costs. The presence of multiple unused or abandoned properties in a particular neighborhood may have resulted from mortgage or property tax foreclosures. The presence of such properties can raise serious health and safety concerns and may also affect the ability of homeowners with protected characteristics to access opportunity through the accumulation of home equity. Demolition without strategic revitalization and investment can result in further deterioration of already damaged neighborhoods.

Displacement of residents due to economic pressures

The term “displacement” refers here to a resident’s undesired departure from a place where an individual has been living. “Economic pressures” may include, but are not limited to, rising rents, rising property taxes related to home prices, rehabilitation of existing structures, demolition of subsidized housing, loss of affordability restrictions, and public and private investments in neighborhoods. Such pressures can lead to loss of existing affordable housing in areas experiencing rapid economic growth and a resulting loss of access to opportunity assets for lower income families that previously lived there. Where displacement disproportionately affects persons with certain protected characteristic, the displacement of residents due to economic pressures may exacerbate patterns of residential segregation.

Impediments to mobility

The term “impediments to mobility” refers here to barriers faced by individuals and families when attempting to move to a neighborhood or area of their choice, especially integrated areas and areas of opportunity. This refers to both Housing Choice Vouchers and other public and private housing options. Many factors may impede mobility, including, but not limited to:

- Lack of quality mobility counseling. Mobility counseling is designed to assist families in moving from high-poverty to low-poverty neighborhoods that have greater access to opportunity assets appropriate for each family (e.g. proficient schools for families with children or effective public transportation.). Mobility counseling can include a range of options including, assistance for families for “second moves” after they have accessed stable housing, and ongoing post-move support for families.
- Lack of appropriate payment standards, including exception payment standards to the standard fair market rent (FMR). Because FMRs are generally set at the 40th percentile of the metropolitan-wide rent distribution, some of the most desirable neighborhoods do not have a significant number of units available in the FMR range. Exception payment standards are separate payment standard amounts within the basic range for a designated part of an FMR area. Small areas FMRs, which vary by zip code, may be used in the determination of potential exception payment standard levels to support a greater range of payment standards.
- Jurisdictional fragmentation among multiple providers of publicly supported housing that serve single metropolitan areas and lack of regional cooperation mechanisms, including PHA jurisdictional limitations.
- HCV portability issues that prevent a household from using a housing assistance voucher issued in one jurisdiction when moving to another jurisdiction where the program is administered by a different local PHA.
- Lack of a consolidated waitlist for all assisted housing available in the metropolitan area.
- Discrimination based on source of income, including SSDI, Housing Choice Vouchers, or other tenant-based rental assistance.

Inaccessible buildings, sidewalks, pedestrian crossings, or other infrastructure

Many public buildings, sidewalks, pedestrian crossings, or other infrastructure components are inaccessible to individuals with disabilities including persons with mobility impairments, individuals who are deaf or hard of hearing, and persons who are blind or have low vision. These accessibility issues can limit realistic housing choice for individuals with disabilities. Inaccessibility is often manifest by the lack of curb cuts, lack of ramps, and the lack of audible pedestrian signals. While the Americans with Disabilities Act and related civil rights laws establish accessibility requirements for infrastructure, these laws do not apply everywhere and/or may be inadequately enforced.

Inaccessible government facilities or services

Inaccessible government facilities and services may pose a barrier to fair housing choice for individuals with disabilities by limiting access to important community assets such as public meetings, social services, libraries, and recreational facilities. Note that the concept of accessibility includes both physical access (including to websites and other forms of communication) as well as policies and procedures. While the Americans with Disabilities Act and related civil rights laws require that newly constructed and altered government facilities, as well as programs and services, be accessible to individuals with disabilities, these laws may not apply in all circumstances and/or may be inadequately enforced.

Lack of affordable, accessible housing in a range of unit sizes

What is “affordable” varies by circumstance, but an often used rule of thumb is that a low- or moderate-income family can afford to rent or buy a decent-quality dwelling without spending more than 30 percent of its income. For purposes of this assessment, “accessible housing” refers to housing that accords individuals with disabilities equal opportunity to use and enjoy a dwelling. Characteristics that affect accessibility may include physical accessibility of units and public and common use areas of

housing, as well as application procedures, such as first come first serve waitlists, inaccessible websites or other technology, denial of access to individuals with assistance animals, or lack of information about affordable accessible housing. The clustering of affordable, accessible housing with a range of unit sizes may also limit fair housing choice for individuals with disabilities.

Lack of affordable in-home or community-based supportive services

The term “in-home or community-based supportive services” refers here to medical and other supportive services available for targeted populations, such as individuals with mental illnesses, cognitive or developmental disabilities, and/or physical disabilities in their own home or community (as opposed to in institutional settings). Such services include personal care, assistance with housekeeping, transportation, in-home meal service, integrated adult day services and other services (including, but not limited to, medical, social, education, transportation, housing, nutritional, therapeutic, behavioral, psychiatric, nursing, personal care, and respite). They also include assistance with activities of daily living such as bathing, dressing, eating, and using the toilet, shopping, managing money or medications, and various household management activities, such as doing laundry. Public entities must provide services to individuals with disabilities in community settings rather than institutions when: 1) such services are appropriate to the needs of the individual; 2) the affected persons do not oppose community-based treatment; and 3) community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability-related services from the entity. Assessing the cost and availability of these services is also an important consideration, including the role of state Medicaid agencies. The outreach of government entities around the availability of community supports to persons with disabilities in institutions may impact these individuals’ knowledge of such supports and their ability to transition to community-based settings.

Lack of affordable, integrated housing for individuals who need supportive services

What is “affordable” varies by the circumstances affecting the individual, and includes the cost of housing and services taken together. Integrated housing is housing where individuals with disabilities can live and interact with persons without disabilities to the fullest extent possible. In its 1991 rulemaking implementing Title II of the ADA, the U.S. Department of Justice defined “the most integrated setting appropriate to the needs of qualified individuals with disabilities” as “a setting that enables individuals with disabilities to interact with nondisabled persons to the fullest extent possible.” By contrast, segregated settings are occupied exclusively or primarily by individuals with disabilities. Segregated settings sometimes have qualities of an institutional nature, including, but not limited to, regimentation in daily activities, lack of privacy or autonomy, policies limiting visitors, limits on individuals’ ability to engage freely in community activities and manage their own activities of daily living, or daytime activities primarily with other individuals with disabilities. For purposes of this tool “supportive services” means medical and other voluntary supportive services available for targeted populations groups, such as individuals with mental illnesses, intellectual or developmental disabilities, and/or physical disabilities, in their own home or community (as opposed to institutional settings). Such services may include personal care, assistance with housekeeping, transportation, in-home meal service, integrated adult day services and other services. They also include assistance with activities of daily living such as bathing, dressing, and using the toilet, shopping, managing money or medications, and various household management activities, such as doing laundry.

Lack of assistance for housing accessibility modifications

The term “housing accessibility modification” refers here to structural changes made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full

enjoyment and use of the premises. Housing accessibility modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas. Under the Fair Housing Act, landlords are required by fair housing laws to permit certain reasonable modifications to a housing unit, but are not required to pay for the modification unless the housing provider is a recipient of Federal financial assistance and therefore subject to Section 504 of the Rehabilitation Act or is covered by the Americans with Disabilities Act (in such cases the recipient must pay for the structural modification as a reasonable accommodation for an individual with disabilities). However, the cost of these modifications can be prohibitively expensive. Jurisdictions may consider establishing a modification fund to assist individuals with disabilities in paying for modifications or providing assistance to individuals applying for grants to pay for modifications.

Lack of assistance for transitioning from institutional settings to integrated housing

The integration mandate of the ADA and *Olmstead v. L.C.*, 527 U.S. 581 (1999) (*Olmstead*) compels states to offer community-based health care services and long-term services and supports for individuals with disabilities who can live successfully in housing with access to those services and supports. In practical terms, this means that states must find housing that enables them to assist individuals with disabilities to transition out of institutions and other segregated settings and into the most integrated setting appropriate to the needs of each individual with a disability. A critical consideration in each state is the range of housing options available in the community for individuals with disabilities and whether those options are largely limited to living with other individuals with disabilities, or whether those options include substantial opportunities for individuals with disabilities to live and interact with individuals without disabilities. For further information on the obligation to provide integrated housing opportunities, please refer to HUD's Statement on the Role of Housing in Accomplishing the Goals of *Olmstead*, the U.S. Department of Justice's Statement on *Olmstead* Enforcement, as well as the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services final rule and regulations regarding Home and Community-Based Setting requirements. Policies that perpetuate segregation may include: inadequate community-based services; reimbursement and other policies that make needed services unavailable to support individuals with disabilities in mainstream housing; conditioning access to housing on willingness to receive supportive services; incentivizing the development or rehabilitation of segregated settings. Policies or practices that promote community integration may include: the administration of long-term State or locally-funded tenant-based rental assistance programs; applying for funds under the Section 811 Project Rental Assistance Demonstration; implementing special population preferences in the HCV and other programs; incentivizing the development of integrated supportive housing through the LIHTC program; ordinances banning housing discrimination on the basis of source of income; coordination between housing and disability services agencies; increasing the availability of accessible public transportation.

Lack of community revitalization strategies

The term "community revitalization strategies" refers here to realistic planned activities to improve the quality of life in areas that lack public and private investment, services and amenities, have significant deteriorated and abandoned properties, or other indicators of community distress. Revitalization can include a range of activities such as improving housing, attracting private investment, creating jobs, and expanding educational opportunities or providing links to other community assets. Strategies may include such actions as rehabilitating housing; offering economic incentives for housing developers/sponsors, businesses (for commercial and employment opportunities), bankers, and other interested entities that assist in the revitalization effort; and securing financial resources (public, for-profit, and nonprofit) from sources inside and outside the jurisdiction to fund housing improvements, community facilities and services, and business opportunities in neighborhoods in need of revitalization.

When a community is being revitalized, the preservation of affordable housing units can be a strategy to promote integration.

Lack of local private fair housing outreach and enforcement

The term “local private fair housing outreach and enforcement” refers to outreach and enforcement actions by private individuals and organizations, including such actions as fair housing education, conducting testing, bring lawsuits, arranging and implementing settlement agreements. A lack of private enforcement is often the result of a lack of resources or a lack of awareness about rights under fair housing and civil rights laws, which can lead to under-reporting of discrimination, failure to take advantage of remedies under the law, and the continuation of discriminatory practices. Activities to raise awareness may include technical training for housing industry representatives and organizations, education and outreach activities geared to the general public, advocacy campaigns, fair housing testing and enforcement.

Lack of local public fair housing enforcement

The term “local public fair housing enforcement” refers here to enforcement actions by State and local agencies or non-profits charged with enforcing fair housing laws, including testing, lawsuits, settlements, and fair housing audits. A lack of enforcement is a failure to enforce existing requirements under state or local fair housing laws. This may be assessed by reference to the nature, extent, and disposition of housing discrimination complaints filed in the jurisdiction.

Lack of private investment in specific neighborhoods

The term “private investment” refers here to investment by non-governmental entities, such as corporations, financial institutions, individuals, philanthropies, and non-profits, in housing and community development infrastructure. Private investment can be used as a tool to advance fair housing, through innovative strategies such as mixed-use developments, targeted investment, and public-private partnerships. Private investments may include, but are not limited to: housing construction or rehabilitation; investment in businesses; the creation of community amenities, such as recreational facilities and providing social services; and economic development of the neighborhoods that creates jobs and increase access to amenities such as grocery stores, pharmacies, and banks. It should be noted that investment solely in housing construction or rehabilitation in areas that lack other types of investment may perpetuate fair housing issues. While “private investment” may include many types of investment, to achieve fair housing outcomes such investments should be strategic and part of a comprehensive community development strategy.

Lack of public investment in specific neighborhoods, including services or amenities

The term “public investment” refers here to the money government spends on housing and community development, including public facilities, infrastructure, services. Services and amenities refer to services and amenities provided by local or state governments. These services often include sanitation, water, streets, schools, emergency services, social services, parks and transportation. Lack of or disparities in the provision of municipal and state services and amenities have an impact on housing choice and the quality of communities. Inequalities can include, but are not limited to disparity in physical infrastructure (such as whether or not roads are paved or sidewalks are provided and kept up); differences in access to water or sewer lines, trash pickup, or snow plowing. Amenities can include, but are not limited to recreational facilities, libraries, and parks. Variance in the comparative quality and array of municipal and state services across neighborhoods impacts fair housing choice.

Lack of regional cooperation

The term “regional cooperation” refers here to formal networks or coalitions of organizations, people, and entities working together to plan for regional development. Cooperation in regional planning can be a useful approach to coordinate responses to identified fair housing issues and contributing factors because fair housing issues and contributing factors not only cross multiple sectors—including housing, education, transportation, and commercial and economic development—but these issues are often not constrained by political-geographic boundaries. When there are regional patterns in segregation or R/ECAP, access to opportunity, disproportionate housing needs, or the concentration of affordable housing there may be a lack of regional cooperation and fair housing choice may be restricted.

Lack of resources for fair housing agencies and organizations

A lack of resources refers to insufficient resources for public or private organizations to conduct fair housing activities including testing, enforcement, coordination, advocacy, and awareness-raising. Fair housing testing has been particularly effective in advancing fair housing, but is rarely used today because of costs. Testing refers to the use of individuals who, without any bona fide intent to rent or purchase a home, apartment, or other dwelling, pose as prospective buyers or renters of real estate for the purpose of gathering information which may indicate whether a housing provider is complying with fair housing laws. “Resources” as used in this factor can be either public or private funding or other resources. Consider also coordination mechanisms between different enforcement actors.

Lack of state or local fair housing laws

State and local fair housing laws are important to fair housing outcomes. Consider laws that are comparable or “substantially equivalent” to the Fair Housing Act or other relevant federal laws affecting fair housing laws, as well as those that include additional protections. Examples of state and local laws affecting fair housing include legislation banning source of income discrimination, protections for individuals based on sexual orientation, age, survivors of domestic violence, or other characteristics, mandates to construct affordable housing, and site selection policies. Also consider changes to existing State or local fair housing laws, including the proposed repeal or dilution of such legislation.

Land use and zoning laws

The term “land use and zoning laws” generally refers to regulation by State or local government of the use of land and buildings, including regulation of the types of activities that may be conducted, the density at which those activities may be performed, and the size, shape and location of buildings and other structures or amenities. Zoning and land use laws affect housing choice by determining where housing is built, what type of housing is built, who can live in that housing, and the cost and accessibility of the housing. Examples of such laws and policies include, but are not limited to:

- Limits on multi-unit developments, which may include outright bans on multi-unit developments or indirect limits such as height limits and minimum parking requirements.
- Minimum lot sizes, which require residences to be located on a certain minimum sized area of land.
- Occupancy restrictions, which regulate how many persons may occupy a property and, sometimes, the relationship between those persons (refer also to occupancy codes and restrictions for further information).
- Inclusionary zoning practices that mandate or incentivize the creation of affordable units.
- Requirements for special use permits for all multifamily properties or multifamily properties serving individuals with disabilities.
- Growth management ordinances.

Lending Discrimination

The term “lending discrimination” refers here to unequal treatment based on protected class in the receipt of financial services and in residential real estate related transactions. These services and transactions encompass a broad range of transactions, including but not limited to: the making or purchasing of loans or other financial assistance for purchasing, constructing, improving, repairing, or maintaining a dwelling, as well as the selling, brokering, or appraising or residential real estate property. Discrimination in these transaction includes, but is not limited to: refusal to make a mortgage loan or refinance a mortgage loan; refusal to provide information regarding loans or providing unequal information; imposing different terms or conditions on a loan, such as different interest rates, points, or fees; discriminating in appraising property; refusal to purchase a loan or set different terms or conditions for purchasing a loan; discrimination in providing other financial assistance for purchasing, constructing, improving, repairing, or maintaining a dwelling or other financial assistance secured by residential real estate; and discrimination in foreclosures and the maintenance of real estate owned properties.

Location of accessible housing

The location of accessible housing can limit fair housing choice for individuals with disabilities. For purposes of this assessment, accessible housing refers to housing opportunities in which individuals with disabilities have equal opportunity to use and enjoy a dwelling. Characteristics that affect accessibility may include physical accessibility of units and public and common use areas of housing, as well as application procedures, such as first come first serve waitlists, inaccessible websites or other technology, denial of access to individuals with assistance animals, or lack of information about affordable accessible housing. Federal, state, and local laws apply different accessibility requirements to housing. Generally speaking, multifamily housing built in 1991 or later must have accessibility features in units and in public and common use areas for persons with disabilities in accordance with the requirements of the Fair Housing Act. Housing built by recipients of Federal financial assistance or by, on behalf of, or through programs of public entities must have accessibility features in units and in public and common use areas, but the level of accessibility required may differ depending on when the housing was constructed or altered. Single family housing is generally not required to be accessible by Federal law, except accessibility requirements typically apply to housing constructed or operated by a recipient of Federal financial assistance or a public entity. State and local laws differ regarding accessibility requirements. An approximation that may be useful in this assessment is that buildings built before 1992 tend not to be accessible.

Location of employers

The geographic relationship of job centers and large employers to housing, and the linkages between the two (including, in particular, public transportation) are important components of fair housing choice. Include consideration of the type of jobs available, variety of jobs available, job training opportunities, benefits and other key aspects that affect job access.

Location of environmental health hazards

The geographic relationship of environmental health hazards to housing is an important component of fair housing choice. When environmental health hazards are concentrated in particular areas, neighborhood health and safety may be compromised and patterns of segregation entrenched. Relevant factors to consider include the type and number of hazards, the degree of concentration or dispersion, and health effects such as asthma, cancer clusters, obesity, etc. Additionally, industrial siting policies and incentives for the location of housing may be relevant to this factor.

Location of proficient schools and school assignment policies

The geographic relationship of proficient schools to housing, and the policies that govern attendance, are important components of fair housing choice. The quality of schools is often a major factor in deciding where to live and school quality is also a key component of economic mobility. Relevant factors to consider include whether proficient schools are clustered in a portion of the jurisdiction or region, the range of housing opportunities close to proficient schools, and whether the jurisdiction has policies that enable students to attend a school of choice regardless of place of residence. Policies to consider include, but are not limited to: inter-district transfer programs, limits on how many students from other areas a particular school will accept, and enrollment lotteries that do not provide access for the majority of children.

Location and type of affordable housing

Affordable housing includes, but is not limited to publicly supported housing; however each category of publicly supported housing often serves different income-eligible populations at different levels of affordability. What is “affordable” varies by circumstance, but an often used rule of thumb is that a low- or moderate-income family can afford to rent or buy a decent-quality dwelling without spending more than 30 percent of its income. The location of housing encompasses the current location as well as past siting decisions. The location of affordable housing can limit fair housing choice, especially if the housing is located in segregated areas, R/ECAPs, or areas that lack access to opportunity. The type of housing (whether the housing primarily serves families with children, elderly persons, or persons with disabilities) can also limit housing choice, especially if certain types of affordable housing are located in segregated areas, R/ECAPs, or areas that lack access to opportunity, while other types of affordable housing are not. The provision of affordable housing is often important to individuals with protected characteristics because they are disproportionately represented among those that would benefit from low-cost housing.

Occupancy codes and restrictions

The term “occupancy codes and restrictions” refers here to State and local laws, ordinances, and regulations that regulate who may occupy a property and, sometimes, the relationship between those persons. Standards for occupancy of dwellings and the implication of those standards for persons with certain protected characteristics may affect fair housing choice. Occupancy codes and restrictions include, but are not limited to:

- Occupancy codes with “persons per square foot” standards.
- Occupancy codes with “bedrooms per persons” standards.
- Restrictions on number of unrelated individuals in a definition of “family.”
- Restrictions on occupancy to one family in single family housing along with a restricted definition of “family.”
- Restrictions that directly or indirectly affect occupancy based on national origin, religion, or any other protected characteristic.
- Restrictions on where voucher holders can live.

Private Discrimination

The term “private discrimination” refers here to discrimination in the private housing market that is illegal under the Fair Housing Act or related civil rights statutes. This may include, but is not limited to, discrimination by landlords, property managers, home sellers, real estate agents, lenders, homeowners’ associations, and condominium boards. Some examples of private discrimination include:

- Refusal of housing providers to rent to individuals because of a protected characteristic.
- The provision of disparate terms, conditions, or information related to the sale or rental of a dwelling to individuals with protected characteristics.
- Steering of individuals with protected characteristics by a real estate agent to a particular neighborhood or area at the exclusion of other areas.
- Failure to grant a reasonable accommodation or modification to persons with disabilities.
- Prohibitions, restrictions, or limitations on the presence or activities of children within or around a dwelling.

Useful references for the extent of private discrimination may be number and nature of complaints filed against housing providers in the jurisdiction, testing evidence, and unresolved violations of fair housing and civil rights laws.

Quality of affordable housing information programs

The term “affordable housing information programs” refers here to the provision of information related to affordable housing to potential tenants and organizations that serve potential tenants, including the maintenance, updating, and distribution of the information. This information includes: but is not limited to, listings of affordable housing opportunities or local landlords who accept Housing Choice Vouchers; mobility counseling programs; and community outreach to potential beneficiaries. The quality of such information relates to, but is not limited to:

- How comprehensive the information is (e.g. that the information provided includes a variety of neighborhoods, including those with access to opportunity indicators)
- How up-to-date the information is (e.g. that the publicly supported housing entity is taking active steps to maintain, update and improve the information).
- Pro-active outreach to widen the pool of participating rental housing providers, including both owners of individual residences and larger rental management companies.

Regulatory barriers to providing housing and supportive services for persons with disabilities

Some local governments require special use permits for or place other restrictions on housing and supportive services for persons with disabilities, as opposed to allowing these uses as of right. These requirements sometimes apply to all groups of unrelated individuals living together or to some subset of unrelated individuals. Such restrictions may include, but are not limited to, dispersion requirements or limits on the number of individuals residing together. Because special use permits require specific approval by local bodies, they can enable community opposition to housing for persons with disabilities and lead to difficulty constructing this type of units in areas of opportunity or anywhere at all. Other restrictions that limit fair housing choice include requirements that life-safety features appropriate for large institutional settings be installed in housing where supportive services are provided to one or more individuals with disabilities. Note that the Fair Housing Act makes it unlawful to utilize land use policies or actions that treat groups of persons with disabilities less favorably than groups of persons without disabilities, to take action against, or deny a permit, for a home because of the disability of individuals who live or would live there, or to refuse to make reasonable accommodations in land use and zoning policies and procedures where such accommodations may be necessary to afford persons or groups of persons with disabilities an equal opportunity to use and enjoy housing.

Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs

The term “siting selection” refers here to the placement of new publicly supported housing

developments. Placement of new housing refers to new construction or acquisition with rehabilitation of previously unsubsidized housing. State and local policies, practices, and decisions can significantly affect the location of new publicly supported housing. Local policies, practices, and decisions that may influence where developments are sited include, but are not limited to, local funding approval processes, zoning and land use laws, local approval of LIHTC applications, and donations of land and other municipal contributions. For example, for LIHTC developments, the priorities and requirements set out in the governing Qualified Allocation Plan (QAP) influence where developments are located through significant provisions in QAPs such as local veto or support requirements and criteria and points awarded for project location.

Source of income discrimination

The term “source of income discrimination” refers here to the refusal by a housing provider to accept tenants based on type of income. This type of discrimination often occurs against individuals receiving assistance payments such as Supplemental Security Income (SSI) or other disability income, social security or other retirement income, or tenant-based rental assistance, including Housing Choice Vouchers. Source of income discrimination may significantly limit fair housing choice for individuals with certain protected characteristics. The elimination of source of income discrimination and the acceptance of payment for housing, regardless of source or type of income, increases fair housing choice and access to opportunity.

State or local laws, policies, or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings

State and local laws, policies, or practices may discourage individuals with disabilities from moving to or being placed in integrated settings. Such laws, policies, or practices may include medical assistance or social service programs that require individuals to reside in institutional or other segregated settings in order to receive services, a lack of supportive services or affordable, accessible housing, or a lack of access to transportation, education, or jobs that would enable persons with disabilities to live in integrated, community-based settings.

Unresolved violations of fair housing or civil rights law

Unresolved violations of fair housing and civil rights laws include determinations or adjudications of a violation or relevant laws that have not been settled or remedied. This includes determinations of housing discrimination by an agency, court, or Administrative Law Judge; findings of noncompliance by HUD or state or local agencies; and noncompliance with fair housing settlement agreements.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 7.D.

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Juan Guerra

Agenda Item: Consultation with the Board of Commissioners on review of the City organization structure.

Classification: Closed Session

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza
City Management Office

Created/Initiated - 09/01/2017
Final Approval - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.A.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Ruben Villegas, Chief of Police

DEPARTMENT: Police

DIRECTOR:

Agenda Item: Consideration and action, if any, authorizing Pharr Police Department to enter into an Cooperative State and Local Task Force Agreement with the Drug Enforcement Agency.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Authorizing the Police Department to Enter into an Cooperative State and Local Task Force Agreement with the Drug Enforcement Agency

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Ruben Villegas

Created/Initiated - 08/30/2017

Ruben Villegas

Approved - 08/30/2017

Karla Moya

Approved - 08/31/2017

Patricia Rigney

Approved - 08/31/2017

City Management Office

Final Approval - 09/01/2017



U. S. Department of Justice
Drug Enforcement Administration
Houston Division
1433 West Loop South, Suite 600
Houston, Texas 77027

www.dea.gov

July 31, 2017

Ruben Villescas
Chief of Police
Pharr Police Department
1900 S. Cage Boulevard
Pharr, Texas 78577

Dear Chief Villescas:

Thank you for your continued support of the Drug Enforcement Administration. Your participation in the State and Local Task Force Program allows us to jointly and effectively serve the McAllen community as a whole.

Enclosed for your review and signature are the Task Force Agreements for Fiscal Year 2018, as well as a self-addressed envelope for your convenience. Once all signatures are obtained, courtesy copies will be sent to your office for your records.

Please contact me at 713-693-3009 or Assistant Special Agent in Charge Stephen M. Jenkins at 956-992-8405 with questions regarding any Task Force matters.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Whipple".

Steven S. Whipple, Acting
Special Agent in Charge

Enclosures

COOPERATIVE STATE AND LOCAL TASK FORCE AGREEMENT

This agreement is made this 1st day of October, 2017, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and the Pharr Police Department (hereinafter "PPD"). The DEA is authorized to enter into this cooperative agreement concerning the use and abuse of controlled substances under the provisions of 21 U.S.C. § 873.

Whereas there is evidence that trafficking in narcotics and dangerous drugs exists in the McAllen, Texas, area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of, the parties hereto agree to the following:

1. The McAllen OCDETF Strike Force will perform the activities and duties described below:
 - a. disrupt the illicit drug traffic in the area by immobilizing targeted violators and trafficking organizations;
 - b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and
 - c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of Texas.
2. To accomplish the objectives of the McAllen OCDETF Strike Force, the PPD agrees to detail one (1) experienced officer(s) to the McAllen OCDETF Strike Force for a period of not less than two years. During this period of assignment, the PPD officer(s) will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.
3. The PPD officer(s) assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The PPD officer(s) assigned to the Task Force shall be deputized as Task Force Officer(s) of DEA pursuant to 21 U.S.C. Section 878.
5. To accomplish the objectives of the McAllen OCDETF Strike Force, DEA will assign 29 Special Agents to the Task Force. DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and officer(s) assigned to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.
6. The PPD shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H and I.

7. The term of this agreement shall be effective from the date in paragraph number one until September 30, 2018. This agreement may be terminated by either party on 30 days advance written notice. Billing for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by PPD during the term of this agreement.

For the Drug Enforcement Administration:

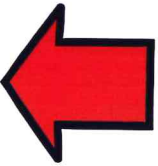
Steven S. Whipple, Acting
Special Agent in Charge

Date:_____

For the Pharr Police Department:

Ruben Villegas
Chief of Police

Date:_____



(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address: (Grantee = Agency)

2. Application Number and/or Project Name

N/A

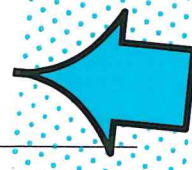
3. Grantee IRS/Vendor Number

N/A

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date





AGENDA ITEM SUMMARY

BOARD OF COMISSIONERS

DATE SUBMITTED: 08/29/2017

C.C. MEETING DATE: 09/05/2017

SUBMITTED BY: Chief Ruben Villescascas

DEPARTMENT: Police

DIRECTOR: Chief of Police Ruben Villescascas

AGENDA ITEM: Consideration and Action Authorizing City of Pharr Police Department to Enter into an Cooperative State and Local Task Force Agreement with the Drug Enforcement Agency

CLASSIFICATION: Public Hearing Consent X Regular Closed Session

(*If closed session, City Attorney must review and approve.)

EXCLUDE MATERIAL FROM PUBLIC PACKET: Yes X No

Reason?

ROUTING:

CITY ATTORNEY: _____ DATE: _____

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: _____ DATE: _____

DEADLINES:

Wednesday 12 noon the week before City Commission Meeting:

- All items needing review by the City Attorney (complete with all materials and Agenda Item Summary for review) Understand that lengthy items or items that require outside specialized consultation may not make the agenda you specify. The sooner you have items ready for review the better.

Wednesday by 4 pm the week before City Commission meeting:

- All Agenda Item Request Forms are due to City Clerk so the agenda can be completed.

Thursday by 5 pm the week before City Commission meeting:

- All back up data for all agenda items are due to City Clerk so final packets can be assembled.



MEMORANDUM

DATE: August 29, 2017
TO: Juan G Guerra, City Manager
FROM: Ruben Villescas, Police Chief

SUBJECT: Consideration and Action Authorizing City of Pharr Police Department to Enter to Enter into an Cooperative State and Local Task Force Agreement with the Drug Enforcement Agency

ISSUE:

This department is seeking to enter into a Cooperative State and Local Task Force Agreement with the Drug Enforcement Agency. Entering this agreement the Pharr Police Department will assign a Pharr Police Officer to the task force which concentrates on disrupting illicit drug trafficking to include undercover operations.

The assignment to the Drug Enforcement Agency allows increased levels of intelligence of drug trafficking in and around the City of Pharr, allows for a force multiplier when handling narcotic related crimes and to include drug seizures adopted by this department at our international bridge.

FINANCIAL CONSIDERATION:

City of Pharr will compensate the assignment of (1) officers through city funds for salary and benefits. The D.E.A. Task Force will provide funding for overtime, office space and training while assigned to the task force.

ALTERNATIVE:

Not authorized the assignment of a Pharr Police Officer to the Task Force and not Authorize entering into the Agreement

STAFF RECOMMENDATION:

I recommend that approval be given for this department to execute and enter into an Agreement with the Drug Enforcement Agency.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.B.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Ruben Villegas, Chief of Police

DEPARTMENT: Police

DIRECTOR:

Agenda Item: Consideration and action, if any, authorizing Pharr Police Department to enter into a State and Local HIDTA Task Force Agreement with the Drug Enforcement Agency.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Authorizing City of Pharr Police Department to Enter into an State and Local HIDTA Task Force Agreement with the Drug Enforcement Agency

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Ruben Villegas

Created/Initiated - 08/30/2017

Ruben Villegas

Approved - 08/30/2017

Karla Moya

Approved - 08/31/2017

Patricia Rigney

Approved - 08/31/2017

City Management Office

Final Approval - 09/01/2017



AGENDA ITEM SUMMARY

BOARD OF COMISSIONERS

DATE SUBMITTED: 08/29/2017

C.C. MEETING DATE: 09/05/2017

SUBMITTED BY: Chief Ruben Villegas

DEPARTMENT: Police

DIRECTOR: Chief of Police Ruben Villegas

AGENDA ITEM: Consideration and Action Authorizing City of Pharr Police Department to Enter into an State and Local HIDTA Task Force Agreement with the Drug Enforcement Agency

CLASSIFICATION: ☐ Public Hearing ☐ Consent ☒ Regular ☐ Closed Session

(*If closed session, City Attorney must review and approve.)

EXCLUDE MATERIAL FROM PUBLIC PACKET: ☐ Yes ☒ No

Reason?

ROUTING:

CITY ATTORNEY: _____ DATE: _____

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: _____ DATE: _____

DEADLINES:

Wednesday 12 noon the week before City Commission Meeting:

- All items needing review by the City Attorney (complete with all materials and Agenda Item Summary for review) Understand that lengthy items or items that require outside specialized consultation may not make the agenda you specify. The sooner you have items ready for review the better.

Wednesday by 4 pm the week before City Commission meeting:

- All Agenda Item Request Forms are due to City Clerk so the agenda can be completed.

Thursday by 5 pm the week before City Commission meeting:

- All back up data for all agenda items are due to City Clerk so final packets can be assembled.



MEMORANDUM

DATE: August 29, 2017
TO: Juan G Guerra, City Manager
FROM: Ruben Villescas, Police Chief

SUBJECT: Consideration and Action Authorizing City of Pharr Police Department to Enter into an State and Local HIDTA Task Force Agreement with the Drug Enforcement Agency

ISSUE:

This department is seeking to enter into a Cooperative State and Local Task Force Agreement with the Drug Enforcement Agency. Entering this agreement the Pharr Police Department will assign a Pharr Police Officer to the task force which concentrates on disrupting illicit drug trafficking to include undercover operations.

The assignment to the Drug Enforcement Agency allows increased levels of intelligence of drug trafficking in and around the City of Pharr, allows for a force multiplier when handling narcotic related crimes and to include drug seizures adopted by this department at our international bridge.

FINANCIAL CONSIDERATION:

City of Pharr will compensate the assignment of (1) officers through city funds for salary and benefits. The D.E.A. Task Force will provide funding for overtime, office space and training while assigned to the task force. This fiscal year the department was awarded \$107,475.00 in shared seized assets from the work of the assigned officer.

ALTERNATIVE:

Not authorized the assignment of a Pharr Police Officer to the Task Force and not Authorize entering into the Agreement

STAFF RECOMMENDATION:

I recommend that approval be given for this department to execute and enter into an Agreement with the Drug Enforcement Agency.

STATE AND LOCAL HIDTA TASK FORCE AGREEMENT

This agreement is made this 1st day of October 2017, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and the Pharr Police Department (hereinafter "PPD"). The DEA is authorized to enter into this cooperative agreement concerning the use and abuse of controlled substances under the provisions of 21 U.S.C. § 873.

Whereas there is evidence that trafficking in narcotics and dangerous drugs exists in the McAllen, Texas, area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of Texas, the parties hereto agree to the following:

1. The McAllen HIDTA Task Force will perform the activities and duties described below:
 - a. disrupt the illicit drug traffic in the McAllen, Texas, area by immobilizing targeted violators and trafficking organizations;
 - b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and
 - c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of Texas.
2. To accomplish the objectives of the McAllen HIDTA Task Force, the PPD agrees to detail one (1) experienced officer(s) to the HIDTA Task Force for a period of not less than two years. During this period of assignment, the assigned officer(s) will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.
3. The PPD officer(s) assigned to the Task Force shall adhere to all DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The PPD officer(s) assigned to the Task Force shall be deputized as Task Force Officer(s) of DEA pursuant to 21 USC 878.
5. To accomplish the objectives of the HIDTA Task Force, DEA will assign 29 Special Agents to the Task Force. HIDTA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and PPD officer(s) to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training and other support items.
6. During the period of assignment to the HIDTA Task Force, the PPD will remain responsible for establishing the salaries and benefits, including overtime, of the PPD officer(s) assigned to the Task Force and for making all payments due them. HIDTA will, subject to availability of funds, reimburse the PPD for overtime payments made by it to the PPD officer(s) assigned to the

McAllen Task Force for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, Step 1 (RUS) federal employee, currently \$18,042.00, per officer. ***Note: Task Force Officer's overtime "Shall not include any costs for benefits, such as retirement, FICA, and other expenses."***

7. In no event will the PPD charge any indirect cost rate to DEA for the administration or implementation of this agreement.

8. The PPD shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.

9. The PPD shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The PPD shall maintain all such reports and records until all litigation, claim, audits and examinations are completed and resolved or for a period of three (3) years after termination of this agreement, whichever is later.

10. The PPD shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H and I.

11. The PPD agrees that an authorized officer(s) or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The PPD acknowledges that this agreement will not take effect and no federal funds will be awarded until the completed certification is received.

12. When issuing statements, press releases requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or part with federal money, the PPD shall clearly state: (1) percentage of the total cost of the program or project which will be financed with federal money and (2) the dollar amount of federal funds for the program or project.

13. The term of this agreement shall be effective from the date in paragraph number one until September 30, 2018. This agreement may be terminated by either party on 30 days advance written notice. Billing for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. HIDTA will be responsible only for obligations incurred by PPD during the term of this agreement.

For the Drug Enforcement Administration:

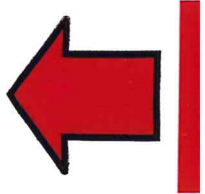
Steven S. Whipple, Acting
Special Agent in Charge

Date: _____

For the Pharr Police Department:

Ruben Villegas
Chief of Police

Date: _____





AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.C.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Javier Gonzalez, Assistant Police Chief

DEPARTMENT: Police

DIRECTOR:

Agenda Item: Consideration and action, if any, on Memorandum of Understanding between Pharr Police Department and the City of Edinburg for the use of the Edinburg International Race Track for Emergency Vehicle Operations Course (EVOC) training.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: This department is seeking to enter into a memorandum of understanding with the City of Edinburg for the use of the Edinburg International Race Track for the Emergency Vehicle Operations Course (EVOC) training.

Financial Consideration:

Staff Recommendation: Recommend that approval be given for this department to execute and enter into a Memorandum of Understanding with the City of Edinburg.

Alternatives: Not Authorize entering into the M.O.U.

ROUTING:

Javier Gonzalez

Created/Initiated - 08/30/2017

Ruben Villegas

Approved - 08/30/2017

Patricia Rigney

Approved - 08/30/2017

City Management Office

Final Approval - 08/30/2017



Memorandum of Understanding (MOU)

Between



The Pharr Police Department And City of Edinburg

To: Pontiano Longoria
From: Sergeant Mirabelle Garza, Training Coordinator
Subject: Request for the use of the Edinburg International Race Track in Edinburg, Texas for the Emergency Vehicle Operations Course (EVOC) training.

This is an agreement between the Pharr Police Department Training Center, hereinafter called PPDTC and the City of Edinburg.

The Pharr Police Department Training Center is requesting permission to utilize the Edinburg International Race Track from Monday October 16, 2017 thru Friday October 20, 2017 from 8:00 a.m. to 5:00 p.m. should permission be granted, we acknowledge and agree that should any incident(s) occur resulting in injuries to any of our police officers the City of Edinburg or Agents will not be held liable. Our Police Agency will accept any and all liability for any injuries done at the Edinburg International Race Track.

The City of Pharr has insurance coverage with the Texas Municipal League, and our entity I.D. # is 9721 effective 09/30/2017 thru 10/01/18.

PPDTC agrees to submit reports of training to the Texas Commission on Law Enforcement (TCOLE) for continuing education training conducted by the PPDTC. These reports of training are submitted to document the training for the officers licensed by TCOLE.

The PPDTC Academy Director agrees to submit the reports of training submitted within the specified time frame. Late reports of training will not be submitted to TCOLE.

PPDTC agrees to maintain all course materials pertaining to classes conducted in compliance with current TCOLE Rule 215.9 (b)(2)(B), 215.(b)(2)(1), and PPDTC retention schedule. PPDTC agrees to make all course material available to TCOLE upon request.

The training site of address will be at the Edinburg International Race Track in Edinburg, Texas.

Chief Of Police, Ruben Villegas
Signature/Title

Date:

Training Coordinator, Mirabelle Garza
Signature/Title

Date:



Memorandum of Understanding (MOU)

Between



The Pharr Police Department And City of Edinburg

To: Pontiano Longoria
From: Sergeant Mirabelle Garza, Training Coordinator
Subject: Request for the use of the Edinburg International Race Track in Edinburg, Texas for the Emergency Vehicle Operations Course (EVOC) training.

This is an agreement between the Pharr Police Department Training Center, hereinafter called PPDTC and the City of Edinburg.

The Pharr Police Department Training Center is requesting permission to utilize the Edinburg International Race Track from Monday November 13, 2017 thru Friday November 17, 2017 from 8:00 a.m. to 5:00 p.m. should permission be granted, we acknowledge and agree that should any incident(s) occur resulting in injuries to any of our police officers the City of Edinburg or Agents will not be held liable. Our Police Agency will accept any and all liability for any injuries done at the Edinburg International Race Track.

The City of Pharr has insurance coverage with the Texas Municipal League, and our entity I.D. # is 9721 effective 09/30/2017 thru 10/01/18.

PPDTC agrees to submit reports of training to the Texas Commission on Law Enforcement (TCOLE) for continuing education training conducted by the PPDTC. These reports of training are submitted to document the training for the officers licensed by TCOLE.

The PPDTC Academy Director agrees to submit the reports of training submitted within the specified time frame. Late reports of training will not be submitted to TCOLE.

PPDTC agrees to maintain all course materials pertaining to classes conducted in compliance with current TCOLE Rule 215.9 (b)(2)(B), 215.(b)(2)(1), and PPDTC retention schedule. PPDTC agrees to make all course material available to TCOLE upon request.

The training site of address will be at the Edinburg International Race Track in Edinburg, Texas.

Chief Of Police, Ruben Villescas
Signature/Title

Date:

Training Coordinator, Mirabelle Garza
Signature/Title

Date:

Ruben Villescas
Chief of Police

Date: Thursday August 24, 2017

To: Pontiano Longoria
City of Edinburg Public Works

Dear Mr Pontiano Longoria,

The Pharr Police Department requests your assistance in authorizing the use of your facility for the purpose of conducting an Emergency Vehicle Operation Course (EVOC) for Pharr Police Academy Police Cadets.

The EVOC Training will be held at the Edinburg International Race Track, and is scheduled to begin on Monday October 16th thru Friday October 20, 2017, from 8:00 a.m. to 5:00 p.m.

The following persons will be at the Edinburg International Race Track with the Academy Instructor for the EVOC training.

Police Academy Cadets:

- | | | |
|---------------------------|------------------------|------------------------|
| 1. Acevedo, Edgar | 2. Abniz, Carlos | 3. Cortes, Alvaro |
| 4. Diaz, Jesus | 5. Dominquez, Juan R | 6. Flores, Vanessa |
| 7. Garza, Michelle | 8. Gonzalez, Emanuel O | 9. Guerra, Jose E |
| 10. Hernandez, Cody-Keith | 11. Lara, Ricardo | 12. Llamas, Giovanni |
| 13. Marin, Ruben | 14. Medina, Jose M | 15. Montalvo, Irving |
| 16. Noriega, Ricardo | 17. Olivarez, Brandon | 18. Pachuca, Mario A |
| 19. Ramon, Brandon V | 20. Riojas, Aaron F | 21. Rodriquez, Diego |
| 22. Rodriquez, Rolando | 23. Rojas, Mickey L | 24. Saldivar, Jose Jr |
| 25. Silva, Wendy | 26. Vasquez, Juan | 27. Villarreal, Susana |
| 28. Ortiz, Gonzalo III | | |

A waiver of liability is already on file with you and the City Attorney's Office. If you have any questions you may reach me at (956) 402-4797 or (956) 784-5956.

Sincerely,

Ruben Villescas
Chief of Police
1900 S Cage Blvd.
Pharr, Texas 78577
(956) 402-4700
Fax: (956) 781-9163

Ruben Villescas
Chief of Police

Date: Thursday August 24, 2017

To: Pontiano Longoria
City of Edinburg Public Works

Dear Mr Pontiano Longoria,

The Pharr Police Department requests your assistance in authorizing the use of your facility for the purpose of conducting an Emergency Vehicle Operation Course (EVOC) for Pharr Police Academy Police Cadets.

The EVOC Training will be held at the Edinburg International Race Track, and is scheduled to begin on Monday November 13th thru Friday November 17, 2017, from 8:00 a.m. to 5:00 p.m.

The following persons will be at the Edinburg International Race Track with the Academy Instructor for the EVOC training.

Police Academy Cadets:

- | | | |
|------------------------|------------------------|--------------------|
| 1. Pachuca, Mario A | 2. Ramon, Brandon V | 3. Riojas, Aaron F |
| 4. Rodriquez, Diego | 5. Rodriquez, Rolando | 6. Rojas, Mickey L |
| 7. Saldivar, Jose Jr | 8. Silva, Wendy | 9. Vasquez, Juan |
| 10. Villarreal, Susana | 11. Ortiz, Gonzalo III | |

A waiver of liability is already on file with you and the City Attorney's Office. If you have any questions you may reach me at (956) 402-4797 or (956) 784-5956.

Sincerely,

Ruben Villescas
Chief of Police
1900 S Cage Blvd.
Pharr, Texas 78577
(956) 402-4700
Fax: (956) 781-9163

HOLD HARMLESS AGREEMENT

(RELEASE OF LIABILITY)

The undersigned, City of Pharr, Police Department, its agents, employees and/or representatives (*Indemnitor*), agrees to hold harmless, indemnify, and defend the **CITY OF EDINBURG, TEXAS**, a home-rule municipal corporation of the State of Texas, with its offices located at 415 West University Drive, Edinburg, Hidalgo County, Texas, its employees, officers, successors and assigns (*Indemnitee*) from any and all claims which may be made by reason of *Indemnitor's* use of *Indemnitee's* property, as described below.

Indemnitor hereby RELEASES and forever DISCHARGES *Indemnitee*, for any and all claims, demands, damages, actions, causes of action, suits, judgments or executions by reason of any losses incurred by *Indemnitor* as a result of its use of the property as described below.

DESCRIPTION AND PURPOSE: *Indemnitor* will the use the Closed Runway property located at South Texas International Airport at Edinburg for the purpose of Emergency Vehicle Operations Course (EVOC) on Monday, November 13th through Friday, November 17th, 2017, from 08:00 a.m. – 5:00 p.m.

It is further stipulated and agreed that the laws of the State of Texas shall control in the construction of this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2017.

INDEMNITEE:
CITY OF EDINBURG

By: _____
Richard M. Hinojosa, City Manager

ATTEST:

Myra Ayala-Garza, City Secretary

APPROVED AS TO FORM:
PALACIOS, GARZA & THOMPSON, P.C.

By: _____
City Attorney

INDEMNITOR:

By: _____
Ruben Villescas, Chief of Police

WITNESS:

HOLD HARMLESS AGREEMENT

(RELEASE OF LIABILITY)

The undersigned, City of Pharr, Police Department, its agents, employees and/or representatives (*Indemnitor*), agrees to hold harmless, indemnify, and defend the **CITY OF EDINBURG, TEXAS**, a home-rule municipal corporation of the State of Texas, with its offices located at 415 West University Drive, Edinburg, Hidalgo County, Texas, its employees, officers, successors and assigns (*Indemnitee*) from any and all claims which may be made by reason of *Indemnitor's* use of *Indemnitee's* property, as described below.

Indemnitor hereby RELEASES and forever DISCHARGES *Indemnitee*, for any and all claims, demands, damages, actions, causes of action, suits, judgments or executions by reason of any losses incurred by *Indemnitor* as a result of its use of the property as described below.

DESCRIPTION AND PURPOSE: *Indemnitor* will the use the Closed Runway property located at South Texas International Airport at Edinburg for the purpose of Emergency Vehicle Operations Course (EVOC) on Monday, October 16th through Friday, October 20th, 2017, from 08:00 a.m. – 5:00 p.m.

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IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2017.

INDEMNITEE:
CITY OF EDINBURG

By: _____
Richard M. Hinojosa, City Manager

ATTEST:

Myra Ayala-Garza, City Secretary

APPROVED AS TO FORM:
PALACIOS, GARZA & THOMPSON, P.C.

By: _____
City Attorney

INDEMNITOR:

By: _____
Ruben Villescas, Chief of Police

WITNESS:



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.D.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Gary Rodriguez, Events Center Director

DEPARTMENT: Events Center

DIRECTOR: Gary Rodriguez

Agenda Item: Consideration and action, if any, on sponsorship agreement with Pharr-San Juan-Alamo ISD for stadium digital scoreboard advertising.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Consideration and action, if any, on City of Pharr sponsoring advertising on the new PSJA Stadium digital scoreboard at the Anchor Sponsor level of \$15,000 a year for a period of two years ranging from September 1, 2017 to August 31, 2019.

Financial Consideration: Financial consideration is in the amount of \$15,000 per year for two years. Funding options are Hotel / Motel funds as City of Pharr messages will be geared to promoting special events & festivals; or the City of Pharr Marketing Plan.

Staff Recommendation: Staff recommends approval as part of City of Pharr Marketing Plan

Alternatives:

ROUTING:

Gary Rodriguez
Karla Moya
Patricia Rigney

Created/Initiated - 08/30/2017
Approved - 08/31/2017
Approved - 08/31/2017

City Management Office

Final Approval - 09/01/2017



PSJA ISD SPONSORSHIP AGREEMENT

Complete the sponsorship application and agreement to join our team!

Sponsor Name (Company/Individual): _____

Contact Person: _____

Mailing Address: _____

Phone Number: _____ Email Address: _____

Sponsor Agreement

The City of Pharr (Sponsor) would like to advertise their company's signage on Pharr-San Juan-Alamo Independent School District scoreboards that will appear at PSJA Stadium and/or locations selected as per package.

Sponsor understands that the space available for advertising will be shared by other businesses. Sponsor also understands that the scoreboard will project their company's signage at all home games including, but not limited to football, soccer, UIL events and track meets.

Sponsor signage will appear on the selected PSJA scoreboard for a period of (2) year(s) at the specified price package of \$15,000/year to start on September 1, 2017 and end on August 31, 2019 of sponsorship agreement and shall be due and payable to PSJA ISD, invoice to follow. Monthly payment plans available.

By signing below, sponsor agrees and accepts the policies, terms and conditions listed above.

Company's Owner / Manager Signature Date

PSJA ISD Superintendent of Schools Signature Date

PSJA ISD Representative Signature Date

Sponsorship Package Selected

- | | | |
|--|---|--|
| ☒ Anchor Sponsor | ☐ Founding Sponsor | ☐ Premier Partner |
| ☐ Time Sponsor | ☐ Team Segment Sponsor | ☐ Game Day Sponsor |
| ☐ Video Board Package | ☐ Banner Sponsor | ☐ Hosting Opportunity |

Responsibility of Sponsor

- ◆ Sponsor must submit art work to PSJA ISD as a high-quality JPEG image
- ◆ Art work must be approved by PSJA ISD and must not infringe upon any trademark or copy right laws
- ◆ :15 sec. commercial and/or motion graphics must be provided by sponsor
- ◆ If sponsor needs artwork created, PSJA ISD can assist in the artwork process for an additional \$100/hr.

Acceptance of advertising shall not constitute District approval or endorsement of any product, service, organization, or issue referenced in the advertising, nor shall acceptance of advertising from a vendor determine whether the District will purchase goods or services from the vendor through the District's formal procurement process.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.E.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Gary Rodriguez, Events Center Director

DEPARTMENT: Events Center

DIRECTOR: Gary Rodriguez

Agenda Item: Consideration and action, if any, on sponsorship agreement with Pharr-San Juan-Alamo ISD Top-10 Banner at PSJA Stadium.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Request for City of Pharr to sponsor PSJA North / Early College High School Top-10 Banner at PSJA ISD Stadium in the amount of \$1,500 for a period of one year from September 1, 2017 to August 31, 2018.

Financial Consideration: Fiscal consideration will be \$1,500 for one year.

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Gary Rodriguez

Karla Moya

Patricia Rigney

City Management Office

Created/Initiated - 08/30/2017

Approved - 08/31/2017

Approved - 08/31/2017

Final Approval - 09/01/2017



PSJA ISD SPONSORSHIP AGREEMENT

Complete the sponsorship application and agreement to join our team!

Sponsor Name (Company/Individual): _____

Contact Person: _____

Mailing Address: _____

Phone Number: _____ Email Address: _____

Sponsor Agreement

The City of Pharr (Sponsor) would like to sponsor PSJA North ECHS Top-10 Banner that will be displayed at the Pharr-San Juan-Alamo Independent School District Stadium.

Sponsor understands that the space available for advertising will be shared by other businesses. Sponsor also understands that the banner will project their company's signage at all home games including, but not limited to football, soccer, UIL events and track meets.

Sponsor signage will appear for a period of (1) year(s) at the specified price package of \$1,500 to start on September 1, 2017 and end on August 31, 2018. Sponsorship agreement shall be payable to PSJA ISD and must be paid in full by August 31, 2018. Invoice to follow.

By signing below, sponsor agrees and accepts the policies, terms and conditions listed above.

Company's Owner / Manager Signature Date

PSJA ISD Superintendent of Schools Signature Date

PSJA ISD Representative Signature Date

Sponsorship Package Selected

- | | | |
|--|---|--|
| ☐ Anchor Sponsor | ☐ Founding Sponsor | ☐ Premier Partner |
| ☐ Time Sponsor | ☐ Advantage Sponsor | ☐ Game Day Sponsor |
| ☐ Video Board Package | ☒ Banner Sponsor (Raiders) | ☐ Hosting Opportunity |

Responsibility of Sponsor

- ◆ Sponsor must submit art work to PSJA ISD in JPEG format
- ◆ Art work must be approved by PSJA ISD and must not infringe upon any trademark or copy right laws
- ◆ Commercial and/or motion graphics must be provided by sponsor
- ◆ If sponsor needs artwork created, PSJA ISD can assist in the artwork process for an additional \$100/hr.

Acceptance of advertising shall not constitute District approval or endorsement of any product, service, organization, or issue referenced in the advertising, nor shall acceptance of advertising from a vendor determine whether the District will purchase goods or services from the vendor through the District's formal procurement process.



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #: 8.F.

DATE SUBMITTED: August 30, 2017

MEETING DATE: September 5, 2017

FROM: Gary Rodriguez, Events Center Director

DEPARTMENT: Events Center

DIRECTOR: Gary Rodriguez

Agenda Item: Consideration and action, if any, on agreement between American Legion Post # 101 and the City of Pharr for counseling, outreach, education, and referral services to assist Veterans and family members.

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue: Request from American Legion Post # 101 for support of monthly Veterans Educational Seminars in the amount of \$2,500 per month to assist with operational fees, Keynote Speaker Stipends, supporting materials and refreshments for guests for the period of October 1, 2017 to October 1, 2018.

Financial Consideration: Fiscal consideration for this request is in the amount of \$2,500 per month for one year.

Staff Recommendation: Staff recommends approval.

Alternatives:

ROUTING:

Gary Rodriguez
Karla Moya
City Management Office

Created/Initiated - 08/30/2017
Approved - 09/01/2017
Final Approval - 09/01/2017

AGREEMENT
BETWEEN
AMERICAN LEGION POST 101
AND THE CITY OF PHARR

This Agreement is effective the 1st day of October, 2017, by and between **American Legion Post 101** and the **City of Pharr** for providing our veterans with rehabilitative services.

Whereas, the City of Pharr recognizes its obligation to demonstrate its gratitude to those who, in times of war and peace, have faithfully defended our country; and

Whereas, Veterans residing in the City of Pharr and nearby cities maintain reoccurring disadvantages accessing rehabilitative, educational, and employment services; and

Whereas, the City of Pharr has identified the need to establish and maintain a system of community based programs in order to provide care, counseling, and education to our Veterans; and

Whereas, American Legion Post 101 provides a broad range of counseling, outreach, education, and referral services to assist veterans and family members overcome readjustment problems associated with war and personal trauma;

Now, therefore, be it agreed by the Board of Commissioners of the City of Pharr, Texas, that the City of Pharr enter into an agreement with American Legion Post 101 to ensure its Veterans are provided with a broad range of counseling, outreach, and referral services by the American Legion Post 101.

Agreed, that American Legion Post 101, pursuant to said agreement, will provide the above-stated services in the form of seminars to Veterans on a monthly basis.

Agreed, that the in furtherance of this Agreement, American Legion Post 101 will provide the City with a calendar of proposed seminars to post at the City Hall and on the City Website.

Agreed, that in appreciation/exchange for such services, the City agrees to provide a monthly stipend of \$2,500.00 to American Legion Post 101 for the costs associated with providing the seminars.

Agreed, that this agreement shall take effect immediately upon passage by the members of the Board of Commissioners of the City of Pharr.

Agreed, that nothing herein shall be construed as creating any liability on the part of the City, and that this agreement shall be in effect for a term of one year, but may be terminated by the City giving 30 days written notice to American Legion Post 101.

American Legion Post 101

By: _____ By: _____

Printed Name: _____ Printed Name: _____

Title: _____ Title: _____

Date: _____ Date: _____



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #:

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Pursuant to Section 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related **to legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #:

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Pursuant to Section 551.072, the City may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #:

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Pursuant to Section 551.074, the City may convene in a closed, non-public meeting to discuss any matters related to **review of the City organization structure; appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #:

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Pursuant to Section 551.076, the City may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #:

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Pursuant to Section 551.084, the City may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017



AGENDA MEMORANDUM

BOARD: City Commission

AGENDA ITEM #:

DATE SUBMITTED: September 1, 2017

MEETING DATE: September 5, 2017

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Pursuant to Section 551.087, the City may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues**. The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Exclude Material from Public Packet? No

Reason:

Issue:

Financial Consideration:

Staff Recommendation:

Alternatives:

ROUTING:

Hilda Pedraza

Created/Initiated - 09/01/2017